

Sec. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the New Martinsville & Ohio River Bridge Co. (Inc.), its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Sec. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the New Martinsville & Ohio River Bridge Co. (Inc.) to construct, maintain, and operate a bridge across the Ohio River at or near New Martinsville, W. Va."

ADJOURNMENT

Mr. CURTIS. Mr. President, I move that the Senate adjourn. The motion was agreed to; and (at 5 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 24, 1928, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, February 23, 1928

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, we thank Thee for the infinite revelation of Thy wisdom. So intensify our motives that our aim shall be to express the lofty in that which seems to be small and trivial. Draw us so near to Thee that principle, affirmation, and a prevailing sense of duty may be the sustained attractiveness of our characters. Put into our souls the love of the pure and in our lips the law of kindness. Oh, lead us on to do the right. Do the right, for finally it will be acknowledged everywhere; do the right, for some day it will bring up all arrears; do the right, for it will eventually stand forth in the white light that must forever beat against the Father's throne; do the right, for in the ages to come it shall be crowned with fullness of joy and pleasures for evermore. The Lord God help us. Amen.

The Journal of the proceedings of yesterday was read and approved.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States for his approval bill and joint resolution of the House of the following titles:

H. R. 9280. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River approximately midway between the city of Owensboro, Ky., and Rockport, Ind.

H. J. Res. 156. House joint resolution authorizing the President to accept the invitation of the British Government to appoint delegates to the Eighth International Dairy Congress to be held in Great Britain during June-July, 1928, and providing for an appropriation of \$10,000 for the payment of the expenses of the delegates.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1154. An act to authorize the use by the county of Yuma, Ariz., of certain public lands for a municipal aviation field, and for other purposes; and

S. 1959. An act to transfer to the Secretary of the Navy jurisdiction over oil and gas leases issued by the Secretary of the Interior on lands in naval petroleum reserves.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 1759) entitled "An act to appropriate treaty funds due the Wisconsin Pottawatomi Indians."

The message also announced that the Senate had passed without amendment a bill of the following title:

H. R. 5501. An act authorizing the Hermann Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Hermann, Gasconade County, Mo.

The message also announced that the Senate had passed the following bill, in which the concurrence of the House of Representatives was requested:

S. 1104. An act granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge across Red River at or near Garland City, Ark.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 10635) entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1929, and for other purposes," disagreed to by the House of Representatives, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. SMOOT, Mr. MOSES, Mr. OVERMAN, and Mr. HARRIS to be the conferees on the part of the Senate.

GEORGE WASHINGTON

Mr. YATES. Mr. Speaker, I ask unanimous consent to insert in the RECORD some remarks of my own delivered yesterday upon the anniversary of the birth of George Washington.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I insert the following address on George Washington, delivered by me before the Association of Oldest Inhabitants of the District of Columbia on Washington's Birthday:

Mr. Chairman Noyes, ladies, and gentlemen, I acknowledge with grateful thanks the privilege of taking part in a Washington Birthday celebration with the Association of Oldest Inhabitants of the District of Columbia.

I consider it indeed a privilege. Nay, more, I feel it is an adornment, a decoration, to receive such a recognition from so distinguished, so high-minded, and so useful an organization.

I am proud to be your guest and speaker, not only because you are distinguished, but because you do a noble deed. You are helping to create interest in things that concern us all, and popular interest in public affairs is the foundation of our civilization and the safeguard of the liberties of every American that lives. If ever the liberties of our land go tottering to their fall, it will be because of an ignoble thing—indifference to public things. Whatever overcomes indifference is thus noble. And therefore you are entitled to thanks. And so, if I were President of the United States and could be here, I would thank you here and now. Would tender to you the thanks of the Republic because you thus promote patriotism.

Oliver Wendell Holmes sings:

Welcome to the day returning,
Dearer still as ages flow,
While the torch of faith is burning
Long as freedom's altars glow.
See the hero whom it gave us,
Slumbering on a mother's breast,
For the arm he stretched to save us
Be its morn forever blest!

Hezekiah Butterworth sings:

Arise, 'tis the day of our Washington's glory;
The garlands uplift for our liberties won.
Oh sing in your gladness his echoing story,
Whose sword swept for freedom the fields of the sun!
Not with gold nor with gems
But with evergreens vernal,
And the banners of the stars that the continent span,
Crown, crown we the chief of the heroes eternal,
Who lifted his sword for the birthright of man.

Lord Byron sings:

Where may the wearied eyes repose
When gazing on the great
Where neither guilty glory glows
Nor despicable state?
Yes; one (the first, the last; the best,
The Cincinnatus of the West,
Whom envy dared not hate,)
Bequeathed the name of Washington
To make men blush there was but one.

THE REVOLUTION, O AMERICANS! THE DAYS OF 1776!

A historic darkness follows a historic day.

British force has undertaken to coerce the high-minded and valorous tillers of Massachusetts soil.

They are steady, sturdy, simple souls, these Massachusetts Minutemen; but they are startled into high resolve, they are inspired by a magnificent indignation, they are roused into a grand temerity. It is patience shocked into impatience; it is peace turned into war.

Noble men of 1776. Momentous impulse; memorable results.
The people hasten to the hustings; the burgesses rally at the council houses.

John Adams, John Hancock, James Otis, Patrick Henry, all gild brilliantly the page of history.

Congress after Congress; Congress observing a fast day; Congress at prayer; Congress listening to Richard Lee urge his immortal resolution: "These Colonies are, and of right ought to be, free and independent States."

And now the bell is ringing on Independence Hall, the cannon roar in New England, and the Carolinas are all ablaze with bonfires.

"All men are created free and equal."

"Life, liberty, and the pursuit of happiness are the inalienable rights of every man."

Every community stirred to its foundations in the mighty crisis.

Noble men of 1776! They all stand in deadly peril.

Ben Franklin finds "his philosophy too cold for the South and his jokes too warm for the North," but he jokes just the same, saying "We must assuredly all hang together, or we shall assuredly all hang separately!"

Battle after battle, Bunker Hill, Long Island, Brandywine, Valley Forge, Trenton, Princeton, Eutaw Springs, General Lincoln surrendering his sword to Cornwallis at Charleston (even as in later days the sword of Cornwallis was handed to General Lincoln), then Saratoga! And, finally, Yorktown!

Permit me to read here page 115 of Weem's Washington:

"On hearing in Congress the fall of Cornwallis the Doorkeeper swooned with joy—on hearing the same news in Parliament Lord North fell back in his chair in distress. The stern features of war relaxed but Washington beheld the sight with doubt—

"Great Britain—if she 'play quits,' it must be the work of that Providence who ruleth in the armies of heaven and earth and whose hand has been visibly displayed in every step of our progress to independence."

FRANCE

Meanwhile, Franklin in Paris. Lafayette to the rescue, Rochambeau and Count D'Estaing to the rescue. Old Baron Steuben and old DeKalb and De Grasse to the rescue. Kosciuszko to the rescue. Freedom's friends all to the rescue!

Oh, let the breezes bear every bud and blossom, aster and nasturtium, camellia and lobelia, pansy and honeysuckle, and all their fragrant sisterhood, away, to-day, to the grave of Lafayette and Kosciuszko and DeKalb, and all those who gave us help, in that dark young day, when help was dear.

And let us break open the baskets and pour forth the blossoms, and make to bloom like the rose the resting places of the hundreds and thousands of the martyrs of that time.

They could have had only the mistiest conception of this stupendous Nation of to-day; yet they fought as if for a world.

Over the 300 wild horsemen whom Francis Marion led, and whom Major Tarleton could not whip or catch, we could make a pile of flowers, all afire with the flame which lighted their dauntless hearts.

Deck the spot which is the last resting place of Ethan Allen, who so angered the British by his famous battle cry, "The Great Jehovah and the Continental Congress," and forget not the youngsters who followed him and were known as "the Green Mountain boys."

And give bluebells and other blooms to place above the three militiamen whom Major Andre and Benedict Arnold's gold could not corrupt nor bribe.

And jasmine for Molly Pitcher, who fired the old brass cannon after her husband, the gunner, was cut down on the fateful field of Monmouth.

THE COLONIAL MAID

And, oh, begonia, and petunia, and hyacinth, and fuschia, and lily, and rose for all those colonial maids and matrons, heroines every one, who, in every part of the distressed land, from the ocean to the mountains, from Quebec to Kentucky, charming maids and matrons, cheered on and on the "ragged continentals," in their buckskin clothing and their coonskin caps, and caused them to endure and ever still more to endure. O lovely lovers of liberty, ye shall not be forgot!

The widow Mott, hastening the conflagration of her own home rather than have it fall into foemen's hands; Margaret Corbin, the Joan of Arc, herself wounded in action! Abigail Adams, Deborah Sampson, Martha Washington, Molly Starks, Betsy Ross—what a glorious roll!

"Nor shall your glory be forgot,
While fame her record keeps
And honor guards the hallowed spot
Where valor proudly sleeps."

Their sacrifices were sublime, their privations were pitiful, their aid more precious than rubles!

FLAG

And let us of this generation fail not to remember that but for that winning fight by all these men and women the flag we love to-day would never have been conceived.

"Resolved," said Congress, "Resolved, That the flag of the United States shall be 13 stripes, alternate red and white, with 13 stars on a blue field, representing a new constellation."

Could there have been in the mind or soul of man or woman a more beautiful conception? "A new constellation?" As a matter of fact, did this inspiring, poetic, celestial idea come from the brain of any mere man? I do not think it did; I think it came from Betsy Ross.

All hail to thee, thou grand old flag
Still floating o'er the free,
Though soiled and torn by foemen hands
Thou'rt doubly dear to me.

When, in my boyhood early days
I saw thee first unfurled,
I deemed thee then the pride of earth,
The glory of the world.

And when in later years I stood
In busy haunts of men,
And saw thee float o'er field and flood,
Old flag, I loved thee then.

But now, when neath thy glorious folds
No slave need cringe nor bow,
My father's and my country's flag,
I love thee better now.

Float on, old flag, until thy stripes
Shall all the nations heal,
And tyranny throughout the earth
Shall thy just vengeance feel.

"FIRST IN WAR"

The panorama discloses in every section, as a matter, of course, George Washington. There are few tableaux in which he fails to occupy the center of the scene.

In 1775 we see him draw the sword of command under the old elm at Cambridge.

Glorious sword; sacred blade!

Sword never to be sheathed, although dangers multiply; although disasters develop; although defeats and retreats dishearten, until British cannon cease to bellow and British bluster is heard no longer.

"FIRST IN PEACE"

In 1789 we see him standing on the balcony, at New York, taking the oath—the words of that tremendous obligation trembling on his lips as they went upward to be registered in heaven.

How clean and pure he kept both sword and oath!

I call, as witnesses, William McKinley, President; John Marshall, Chief Justice; Daniel Webster, Senator (orator, February 22, 1832, the one hundredth birthday); Major General (Marquis) Lafayette; Lieut. Col. (Congressman) Henry Lee (chosen to deliver the address before Congress on the day set apart, December 26, 1799); Abraham Lincoln.

SEVEN TRIBUTES TO WASHINGTON

President William McKinley, 1899:

"To-day, nearly a century from Washington's death, we turn reverentially to study the leading principles of that comprehensive chart for the guidance of the people.

"It was his unflinching devotion to these perceptions of duty which more than anything else made him what he was, and contributed so directly to make us what we are.

"Following the precepts of Washington we can not err.

"The wise lessons in government which he left us it will be profitable to heed.

"He seems to have grasped all possible conditions and pointed the way safely to meet them.

"He has established danger signals all along the pathway of the Nation's march.

"His wisdom and foresight have been confirmed and vindicated after more than a century of experience."

John Marshall, in the Life of George Washington, says (p. 122, ch. 6), in connection with that depressing experience, the retreat of Washington's army through Jersey:

"Among the many valuable traits in the character of Washington was the unyielding firmness of mind, which resisted these accumulated circumstances of depression, and supported him under them.

"Undismayed by the dangers which surrounded him, he did not for an instant relax his exertions."

Webster on Washington's conduct of America's foreign relations:

"The maxims upon which Washington conducted our foreign relations were few and simple. The first was an entire and indisputable impartiality toward foreign states.

"The famous phrase, 'Honest friendship with all nations, entangling alliances with none,' was not Washington's, but Jefferson's. But his words were fully as forceful; they show his deep fear that foreign influence would insinuate itself into our councils through the channels of domestic dissensions and obtain a sympathy with our own temporary parties.

"With a tone of earnestness nowhere else found, even in his last affectionate farewell advice, he says:

"Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government."

Lieut. Col. (Congressman) Henry Lee, December 26, 1799:

"The founder of our Federate Republic—our bulwark in war, our guide in peace, is no more! First in war, first in peace, and first in the hearts of his countrymen, he was second to none in the humble and enduring scenes of private life.

"Methinks I see his august image and hear falling from his venerable lips these deep-sinking words:

"Cease, sons of America, lamenting our separation; go on and confirm by your wisdom the fruits of our joint councils, joint efforts, and common dangers.

"Reverence religion; diffuse knowledge throughout your land; patronize the arts and sciences; let liberty and order be inseparable companions; control party spirit, the bane of free government; observe good faith to and cultivate peace with all nations; shut up every avenue of foreign influence; contract rather than extend national connection; rely on yourselves only; be American in thought and deed!

"Thus will you give immortality to that Union which was the constant object of my labors."

General (Marquis) Lafayette wrote to Chief Justice John Marshall a letter about the Battle of Monmouth, and in this letter said:

"Never was General Washington greater in war than in this action. His presence stopped the retreat. His disposition fixed the victory. His fine appearance on horseback, his calm courage, roused by the animation produced by the vexation of the morning, gave him the air best calculated to excite enthusiasm."

Abraham Lincoln's tribute:

"Washington's is the mightiest name of earth—long since the mightiest in the cause of civil liberty; still mightiest in moral reformation. On that name no eulogy is expected. It can not be. To add brightness to the sun or glory to the name of Washington is alike impossible. Let none attempt it. In solemn awe pronounce the name, and in its naked, deathless splendor leave it shining on."

Washington not a demigod.

This outburst, by Lincoln, seems to me to cap the climax. It seems to be the very sublimity of hyperbole—something quite beyond description or realization. After this flight of impassioned, impressive eloquence, it would seem that no soaring, no words of human utterance, could higher soar. Of course, I shall not attempt it.

The condition or situation would seem to be well set forth in the book entitled "Sally Cary: a Long-Hidden Romance of Washington's Life" (by Wilson Miles Cary, published in 1896), in these words:

"The microscope of history has been diligently leveled for the past century upon the character and personality of Washington. His fame, great as it was in his life, has been steadily expanding with the Republic, till now the Father of His Country has fairly burst the bonds of human nature and assumed the proportions of a demigod. His epistles throw a side light and help to save him from that colorless dehumanization to which too indiscriminate eulogy was fast reducing our grandest American. * * * They show steady control of strong impulses which pygmies never feel."

FIVE ASPECTS OF WASHINGTON

Finding myself unable to cope with these other speakers and writers, some of whom knew Washington personally, and all of whom studied him minutely, I, after endeavoring to study them all as minutely as a busy life has permitted, have fully come to the conclusion that I am not qualified to attempt to discuss the whole life and character of our first President.

And so I shall not endeavor to go over his ability as a general and an executive, which more than a thousand writers have elaborately discussed.

But I will try to mention some of the things most dear to his heart and most notable in his action.

I. FRIEND OF EDUCATION

That he believed in and was in favor of education—in other words, the general diffusion of knowledge—is shown by the following quotation from his farewell address:

"It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shape the foundation of the fabric. In proportion as a government gives force to public opinion it is essential that public opinion should be enlightened.

"Promote, then, as an object of primary importance institutions for the general diffusion of knowledge."

A hundred other things bear testimony—for example, he maintained at college at his own expense nine of his own relatives; and we all know the unremitting enthusiasm with which he pushed his project for the Military Academy at West Point. He also found time to serve as

chancellor of the William and Mary College and to urge the maintenance of a national university.

II. LABOR CHAMPION

That he believed in work and effort and thoroughness admits of no denial or debate. His theory is well set forth in a letter to a nephew, Bushrod Washington, reading as follows:

"Remember, that it is not the mere study of the law but to become eminent in the profession of it which is to yield honor and profit. The first (the law) was your choice, let the second (eminence) be your ambition; that the company in which you will improve most will be least expensive to you. And yet I am not such a stoic as to suppose that you will (or think it right that you should) always be in company with Senators and philosophers; but of the young and juvenile kind let me advise you to be choice. It is easy to make acquaintances, but very difficult to shake them off (however irksome and unprofitable they are found) after we have once committed ourselves to them."

Would it not have been a priceless boon to all of us in this presence if some one had only in our early youth emphasized the fact that distinction in any profession comes only with the highest attainment and that not even profit comes without such attainment? After bitter experience, we all know that there is no real success without intense application; and that he who is content to be a mere student instead of a master will not only be without honor but also without profit.

"The heights by great men scaled and kept
Were not attained by sudden flight;
But they, while their companions slept,
Were toiling upward through the night."

WASHINGTON, MODEL PUBLIC SERVANT

Believing in work—w-o-r-k—as he did, our Washington never turned down a chance, never neglected an opportunity, never turned a deaf ear, never was blind to an appeal to lend his presence and approval to a church or charity, a deserving fraternity or lodge, or a worthy association of either men or women, whether conspicuous or humble. He never despised public office. He was not a shrinking patriot. He did not bury himself in some solemn chamber of reflection, some old law office or courthouse. He did not hide therein to wait for the hour when the public ear should become attuned to his words. On the contrary, all his efforts were such as to fasten the public eye upon him and cause him to be searched out among his fellows. He was one of that brilliant company, the surveyors of his day, a hard worker on vast estates, penetrating savage wildernesses while yet a minor. (Let us not forget the challenging fact that not only Washington but Thomas Marshall, of the third Virginia line, and later Abraham Lincoln and later a host of our celebrities, were once surveyors.) He was a member of the house of burgesses before the French and Indian War, was a major and assistant adjutant general before he was a lieutenant colonel in the days of General Braddock, and the latter's ill-fated "expedition" and ambush. He was a delegate to the Continental Congress until 1775, when elected commanding general, and was "president and deputy from Virginia" in the Constitutional Convention beginning 1787. And he found time to be warden in his church, master in his lodge, and chancellor of a college.

III. RELIGION

That he was a believer in Divine Providence is shown by the following extract:

"Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports.

"In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens.

"The mere politician equally with the pious man ought to respect and to cherish them.

"A volume could not trace all their connections with private and public felicity.

"Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in courts of justice?

"And let us with caution indulge the supposition that morality can be maintained without religion.

"Whatever may be conceded (to the influence of refined education), reason and experience forbid us to expect that national morality can prevail in exclusion of religious principles."

It is in recognition of Washington's belief in God that the likeness of him in imperishable bronze which hangs on the wall of the old Subtreasury in old New York represents him on his knees in the snow at Valley Forge on that mighty day when he made his most urgent appeal to Heaven.

O Valley Forge! Have you been to Valley Forge? If not, hasten, I beg you, to go at your earliest opportunity.

See the breastworks; the line where Lafayette's division lay; the line of Mad Anthony Wayne; the great arch of marble with its lettering—

"They shall hunger no more;
Neither thirst any more."

And, above all, see the bronze praying stool and on it the words: "Day of fasting and prayer, June 1, 1774. I went to church and fasted all day." A reproduction in the handwriting of George Washington.

IV. THE LOVER

I remark, in the fourth place, that there really was a Washington who was not a demigod, or any kind of a god, but a very, very human, terrestrial being. It rejoices my heart to be able to truthfully say this—rejoices my heart that there was a talking, walking, living, loving Washington. It would not help me to know that he was a demigod, unearthly, far apart. It could do me no good to be exhorted to imitate a demigod, because I could not so do, by any possibility. But there is the very liveliest incentive and the most potent inducement for me to try to be like him in my little humble obscure individuality, when I learn that he was just flesh and blood and mortal man, like you and me, tempted at all points like we are.

I cite you to two examples of his humanness, his earthly, undivine—or rather nongodly make-up.

See him riding up to the town of Monmouth in the early dawn. His ragged army has just been revived (somewhat) by the spring following the winter at Valley Forge.

In three divisions it is marching upon Monmouth. The hour has come to turn and fight. (To every man and nation comes the hour when he or it must turn and fight or die. That hour has come to him.) He advances full of hope, eye alight, head erect, soul aloft. All of a sudden he meets one of his most able and conspicuous generals, Charles Lee, in full retreat, when he ought to be in full advance. Washington spurs his horse up to that of Lee until the stirrups clash, and says, "You are a — poltroon!"

Would you have had it otherwise? Would you have had that cowardly or calculating commander (trusted by our Washington in the hour of our peril) escape his deserved rebuke? God forgive me, but I am glad that he used the good, the short, the ugly word. In that one moment we had revealed to us and to history the fact that underneath was a soul of tempestuous, tumultuous passion, always hitherto controlled by the man and mastered by him. Deep emotion was also exhibited the day the treason of Benedict Arnold was discovered and the day the militiamen retreated at Kips Ferry—the day he tried to beat the line forward with the flat of his sword—and the day Major André was executed.

And see him offering his hand to five different girls—five different girls in 10 years, pressing his suit—

At 16 to Mary Carey, of Fairfax.

At 18 to Mary Brand, of Westmoreland.

At 20 to Mary Fauntleroy, of Richmond.

At 22 to Mary Phillips, of New York.

At 26 to Martha Custis, whom he married in his twenty-seventh year. Are you not glad? I am! It makes him seem less remote; more like us! I rejoice that all the men of valor who have kept the flag in the sky have been ardent lovers of American women—all of them. When they fought, they fought violently, and then fell violently in love.

V. WASHINGTON, THE OPTIMIST

I remark, in the fifth place, that George Washington was a real, an eternal optimist.

He had his disappointments, and, indeed, plenty of them, but he was not a pessimist.

He was hopeful always, in a cool, determined way; not flamboyant.

A pessimist has been defined as a man who, having to choose between two evils, takes no chances, but chooses both.

I know the breed; you know the brand; it is an ugly type.

Such a man continually goes about contending that everything is going from bad to worst, going to "the demnition bow wows." Such a man believes that "there were giants in those days," but not now.

He believes that there are no longer anywhere, on land or sea, any good preachers, any good teachers, any good doctors, any good lawyers, any good capitalists, any good laborers, any good editors. He thinks they are all dead and gone.

And such a man is wrong.

As a matter of fact, there never were in any time or clime so many good preachers, so many good teachers, so many good doctors and lawyers and editors as there are to-day.

There never was so much generosity and benevolence and philanthropy and good samaritanism in general, never so much of the milk of human kindness in the hearts of men, never so much of the Lord God Almighty in humanity as there is to-day.

While it is a time for patience and forbearance and for withholding of judgment it is not a time for pessimism.

And while it is a time for discouraging the fanatic, who goes searching for liberty with a torch in one hand and a bomb in the other, it is not a time to be discouraged about the progress of liberty, not a time to gratify the kings and emperors and sultans and czars and mikados by giving the impression that the American experiment of self-government is (in any sense or to any degree) a failure. Make no mistake, no king or emperor or sultan or czar (or mikado) is lying awake at

night praying for the success of this Republic; let us not please him by admitting that we have failed, for we have not failed, and we stand at this hour facing the noblest opportunity ever faced by free government. Concerning "opportunity" a gifted orator once said:

"I knock but once,
And I return no more;
If sleeping, wake!"

This is a false doctrine.

Here is a better verse:

"They do me wrong,
Who say I come no more,
When once I knock and fail to find you in,
For every morn I knock at every door
And bid you wake and rise to fight and win."

Faith in God and in humanity and in freedom never deserted Washington.

Difficulties never made him afraid. Jefferson once said he was a stranger to fear.

The unalterable determination and dogged perseverance which fought on after Long Island fell; fought on after the abandonment of New York; fought on after the retreat through Jersey; fought on after the retreat from Philadelphia; fought on after the loss of Charleston, and the overrunning of the Carolinas; fought on, with Howe at Philadelphia and Clinton at New York, with Burgoyne coming down from Canada, and Cornwallis and Tarleton coming up from Carolina, despite Benedict Arnold ravaging New England, and the sinister presence of the Hessian—can you imagine optimism greater?

And then see him during that period from 1783 to 1789—long, tedious, weary years—talking, talking, writing, writing, urging, urging, that the Union under one government is the only salvation.

Oh, the faith; oh, the sublime faith in that glad and grand and glorious heart!

Faith in America, his country, and her people! Optimism, indeed! That sacred flame on the Nation's altar never died down, because he kept it alive.

It burned and burned as our forefathers fell around about the campfires that cradled our liberties.

And it flamed right on, in Washington's soul, all through the ensuing six years, those anxious years 1783 to 1789, following the Revolution.

And then, when those six years went by, and 1790, 1791, 1792, 1793, 1794, 1795, and 1796 came—that is, seven more years came—still he stood there at the altar of the Nation tending the eternal flame, stood there a pillar of fire himself, between this infant Republic and all the powers and politics that imperilled it.

What if he had fallen, what if he had failed, had faltered? Where and what would we, the Americans, have been to-day?

The theories and principles that he harbored in his heart he reveals more fully than elsewhere in his farewell address to the American people, in 1796. I have already read to you what he said about education and about religion. I now must read a few things which show the absolute confidence in the ability of the American Republic to take care of itself.

"Let us erect a standard to which the wise and honest may repair. The rest is in the hands of God."

"Let us impart all the blessings we possess or ask for ourselves to the whole family of mankind."

"'Tis substantially true that virtue or morality is a necessary spring of popular government."

"It is our true policy to steer clear of permanent alliances with any portion of the foreign world."

"The great rule of conduct for us in regard to foreign nations is to have with them as little political connection as possible."

"Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies."

Richard Watson Gilder sings:

Ye who defeated, 'whelmed,
Betray the sacred cause, let go the trust;
Sleep, weary, while the vessel drifts unhelped;
Here, see, in triumph rise the hero from the dust!

All ye who fight forlorn
'Gainst fate and failure; ye who proudly cope
With evil high enthroned; all ye who scorn
Life from dishonor's hand, here take new heart of hope.

WASHINGTON—CRITICISM OF HIM IN HIS DAY

Thomas Wentworth Higginson says:

"On the last day of office a Philadelphia newspaper dismissed Washington with a final tirade, worth remembering by all who think that political virulence is on the increase:

"'Lord, now lettest Thou Thy servant depart in peace, for mine eyes have seen thy salvation,' was the exclamation of a man who saw a

flood of blessedness breaking in upon mankind. If ever there was a time that allowed this exclamation to be repeated, that time is the present. The man who is the source of all our country's misery is this day reduced to the rank of his fellow citizens and has no longer the power to multiply the woes of these United States. Now more than ever is the time to rejoice. Every heart which feels for the liberty and the happiness of the people must now beat with rapture at the thought that this day the name of Washington ceases to give currency to injustice and to legalize corruption. * * * When we look back upon the eight years of Washington's administration it strikes us with astonishment that one man could thus poison the principles of republicanism among our enlightened people and carry his designs against the public liberty so far as to endanger its very existence. Yet such is the fact, and if this is apparent to all, this day should form a jubilee in the United States."

My fellow citizens of the year 1928, when I came across this item and example of the criticism and abuse which Washington encountered in his day, I, of course, remembered, as most of us do in a sort of general way, that Washington was much criticized in his official lifetime by men and writers who disapproved his policies, and that he must have suffered much in his feelings, conscious as he was of the rectitude of his conduct and the purity of his motives. But I confess I was horrified at the malignity of this particular piece of abuse.

Is it any wonder, ladies and gentlemen, that on the last day in office, the same day as this attack, Washington wrote to General Knox comparing himself to "the weary traveler who sees a resting place and is bending his body to lean thereon," and is it any wonder that he added, "To be suffered to do this in peace is too much to be endured by some"?

CONCLUSION

My fellow citizens, Washington was, of course, much more than a great lover, great believer, great advocate of education and of religion and of federal union, and of individual industry. Soldier and general, legislator and executive, politician and diplomat, he was all these and more. He was a farmer and business man and promoter and explorer and many things more. But I consider his chief distinction is that he was the giver, to the world and humanity, of its chiefest example of free government. I think we ought here and now to highly resolve that he shall not have struggled in vain; highly resolve that we will not fail him (as he looks over the battlements of heaven to observe us); that we will do all that feeble finite hand and mind can do to make real that which was his ideal.

O men and women of America, I believe that this dear country of ours was divinely ordained. I believe that the curtain of waters of the Atlantic Ocean was held right down on the east side of this continent until the prow of Columbus parted these western waters in 1492 for a mighty purpose. And I believe that that mighty purpose was and is to establish—yea to maintain—here on this western continent a mighty and model Republic. I believe that it is part of that mighty purpose that this mighty Republic should be and become in truth and in fact the heir of the ages, the child of the centuries, the beacon light of liberty, the last hope of humanity, utterly regardless of what it costs—in men or in money, in brain or in bayonets, in treasure or in tears. Wise and just, brave and firm, our forefathers and our fathers have gone away for a while and have left in our hands the work of their hands. It is worth saving; it is worth serving. Let us do so right now in humble imitation of their august example—pledge to the mighty work of our lives, our fortunes, and our sacred honors.

"Thou, too, sail on, O ship of state."

PERSONAL INCOME AND CORPORATION TAXES

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent to print in the RECORD some remarks of my own concerning personal incorporation taxes.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ACKERMAN. Mr. Speaker and Members of the House, I present herewith statements showing the amounts of personal income and corporation taxes paid in the various States for the calendar year 1927, as contrasted with the year 1926. The percentage first referred to indicates the entire percentage of the State's proportion to the whole amount or 100 per cent received as income taxes by the Internal Revenue Bureau:

Alabama paid total personal and corporation tax for 1927 of \$10,058,322, or 0.46 per cent, as compared with a total tax paid for 1926 of \$8,934,017, or 0.41 per cent, an increase of \$1,124,305 over 1926, or 12.58 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by seven States combined, as follows: Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Vermont.

Arizona paid total personal and corporation tax for 1927 of \$1,681,763, or 0.08 per cent, as compared with a total tax paid for 1926 of \$1,646,623, or 0.08 per cent, an increase of \$35,140 over 1926, or 2.14 per cent increase over tax paid for 1926. Paid more for 1927 than

the total tax paid by two States combined, as follows: New Mexico, and North Dakota.

Arkansas paid total personal and corporation tax for 1927 of \$4,453,030, or 0.20 per cent, as compared with a total tax paid for 1926 of \$5,166,830, or 0.24 per cent, a decrease of \$713,800 under 1926, or 13.81 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by five States combined, as follows: Arizona, North Dakota, New Mexico, South Dakota, and Nevada.

California paid total personal and corporation tax for 1927 of \$114,811,451, or 5.23 per cent, as compared with a total tax paid for 1926 of \$108,090,054, or 4.98 per cent, an increase of \$6,721,397 over 1926, or 6.22 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 22 States and Hawaii combined, as follows: Colorado, Rhode Island, Washington (including Alaska), Iowa, Alabama, Maine, Oregon, Nebraska, Hawaii, Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Colorado paid total personal and corporation tax for 1927 of \$12,743,556, or 0.58 per cent, as compared with a total tax paid for 1926 of \$12,257,773, or 0.56 per cent, an increase of \$485,783 over 1926, or 3.96 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by eight States combined, as follows: Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Wyoming.

Connecticut paid total personal and corporation tax for 1927 of \$33,065,855, or 1.51 per cent, as compared with a total tax paid for 1926 of \$31,747,900, or 1.46 per cent, an increase of \$1,317,955 over 1926, or 4.15 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 14 States combined, as follows: Nebraska, Arkansas, Utah, South Carolina, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Delaware paid total personal and corporation tax for 1927 of \$15,740,594, or 0.72 per cent, as compared with a total tax paid for 1926 of \$11,913,619, or 0.55 per cent, an increase of \$3,826,975 over 1926, or 32.12 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by nine States combined, as follows: Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, and South Dakota.

Florida paid total personal and corporation tax for 1927 of \$24,301,807, or 1.11 per cent, as compared with a total tax paid for 1926 of \$46,678,068, or 2.15 per cent, a decrease of \$22,376,861 under 1926, or 47.94 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by 12 States combined, as follows: Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Georgia paid total personal and corporation tax for 1927 of \$12,923,299, or 0.59 per cent, as compared with a total tax paid for 1926 of \$14,164,922, or 0.65 per cent, a decrease of \$1,241,623 under 1926, or 8.77 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by eight States combined, as follows: Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Wyoming.

Idaho paid total personal and corporation tax for 1927 of \$1,183,047, or 0.05 per cent, as compared with a total tax paid for 1926 of \$1,443,435, or 0.07 per cent, a decrease of \$260,388 under 1926, or 18.04 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by any one of the following States: North Dakota, New Mexico, South Dakota, and Nevada.

Illinois paid total personal and corporation tax for 1927 of \$193,450,035, or 8.81 per cent, as compared with a total tax paid for 1926 of \$192,101,247, or 8.84 per cent, an increase of \$1,348,788 over 1926, or 0.70 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 27 States and Hawaii combined, as follows: North Carolina, Delaware, Kentucky, Louisiana, Tennessee, Georgia, Colorado, Washington (including Alaska), Iowa, Alabama, Maine, Oregon, Nebraska, Hawaii, Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Indiana paid total personal and corporation tax for 1927 of \$28,580,494, or 1.30 per cent, as compared with a total tax paid for 1926 of \$27,473,092, or 1.26 per cent, an increase of \$1,107,402 over 1926, or 4.03 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 13 States combined, as follows: Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Iowa paid total personal and corporation tax for 1927 of \$11,051,218, or 0.50 per cent, as compared with a total tax paid for 1926 of \$11,829,421, or 0.54 per cent, a decrease of \$778,203 under 1926, or 6.58 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by eight States combined, as follows: Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Kansas paid total personal and corporation tax for 1927 of \$21,038,453, or 0.96 per cent, as compared with a total tax paid for 1926 of \$17,639,395, or 0.81 per cent, an increase of \$3,399,058 over 1926, or 19.27 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 11 States combined, as follows: South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Kentucky paid total personal and corporation tax for 1927 of \$15,349,107, or 0.70 per cent, as compared with a total tax paid for 1926 of \$16,042,401, or 0.74 per cent, a decrease of \$693,294 under 1926, or 4.32 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by nine States combined, as follows: Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, and South Dakota.

Louisiana paid total personal and corporation tax for 1927 of \$14,125,076, or 0.64 per cent, as compared with a total tax paid for 1926 of \$14,084,369, or 0.65 per cent, an increase of \$40,707 over 1926, or 0.29 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by nine States combined, as follows: Mississippi, Wyoming, Vermont, Montana, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Maine paid total personal and corporation tax for 1927 of \$8,234,150, or 0.38 per cent, as compared with a total tax paid for 1926 of \$9,108,122, or 0.42 per cent, a decrease of \$873,972 under 1926, or 9.60 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by seven States combined, as follows: Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Maryland (includes District of Columbia): Paid total personal and corporation tax for 1927 of \$45,293,200, or 2.06 per cent, as compared with a total tax paid for 1926 of \$44,548,154, or 2.05 per cent, an increase of \$745,046 over 1926, or 1.67 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 15 States and Hawaii combined, as follows: Oregon, Nebraska, Hawaii, Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Massachusetts: Paid total personal and corporation tax for 1927 of \$99,968,598, or 4.55 per cent, as compared with a total tax paid for 1926 of \$104,080,261, or 4.79 per cent, a decrease of \$4,111,663 under 1926, or 3.95 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by 20 States and Hawaii combined, as follows: Colorado, Washington (including Alaska), Iowa, Alabama, Maine, Oregon, Nebraska, Hawaii, Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Michigan: Paid total personal and corporation tax for 1927 of \$130,426,190, or 5.94 per cent, as compared with a total tax paid for 1926 of \$147,686,072, or 6.8 per cent, a decrease of \$17,259,882 under 1926, or 11.68 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by 23 States and Hawaii combined, as follows: Tennessee, Georgia, Colorado, Rhode Island, Washington (including Alaska), Alabama, Maine, Oregon, Nebraska, Hawaii, Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Minnesota paid total personal and corporation tax for 1927 of \$26,792,720, or 1.22 per cent, as compared with a total tax paid for 1926 of \$29,270,106, or 1.35 per cent, a decrease of \$2,477,386 under 1926, or 8.46 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by 13 States combined, as follows: Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Mississippi paid total personal and corporation tax for 1927 of \$2,757,959, or 0.13 per cent, as compared with a total tax paid for 1926 of \$3,569,983, or 0.16 per cent, a decrease of \$812,024 under 1926, or 22.75 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by four States combined, as follows: North Dakota, New Mexico, South Dakota, and Nevada.

Missouri paid total personal and corporation tax for 1927 of \$53,482,717, or 2.44 per cent, as compared with a total tax paid for 1926 of \$56,660,140, or 2.61 per cent, a decrease of \$3,177,423 under 1926, or 5.61 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by 16 States and Hawaii combined, as follows: Maine, Oregon, Nebraska, Hawaii, Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Montana paid total personal and corporation tax for 1927 of \$2,400,309, or 0.11 per cent, as compared with a total tax paid for 1926 of \$2,237,600, or 0.10 per cent, an increase of \$162,709 over 1926, or 7.28 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by three States combined, as follows: North Dakota, New Mexico, and South Dakota.

Nebraska paid total personal and corporation tax for 1927 of \$5,402,215, or 0.25 per cent, as compared with a total tax paid for 1926 of \$6,242,163, or 0.20 per cent, a decrease of \$839,948 under 1926, or

13.46 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by five States combined, as follows: Arizona, Idaho, North Dakota, New Mexico, and South Dakota.

Nevada paid total personal and corporation tax for 1927 of \$553,911, or 0.02 per cent, as compared with a total tax paid for 1926 of \$450,135, or 0.02 per cent, an increase of \$103,776 over 1926, or 23.05 per cent increase over tax paid for 1926. Nevada paid less than any other State for 1927.

New Hampshire paid total personal and corporation tax for 1927 of \$3,131,823, or 0.14 per cent, as compared with a total tax paid for 1926 of \$3,017,115, or 0.14 per cent, an increase of \$114,708 over 1926, or 3.80 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by four States combined, as follows: Idaho, New Mexico, South Dakota, and Nevada.

New Jersey paid total personal and corporation tax for 1927 of \$81,126,528, or 3.70 per cent, as compared with a total tax paid for 1926 of \$78,212,227, or 3.60 per cent, an increase of \$2,914,301 over 1926, or 3.73 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 19 States and Hawaii combined, as follows: Kentucky, Alabama, Maine, Oregon, Nebraska, Hawaii, Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

New Mexico paid total personal and corporation tax for 1927 of \$710,196, or 0.03 per cent, as compared with a total tax paid for 1926 of \$616,073, or 0.03 per cent, an increase of \$94,123 over 1926, or 15.28 per cent increase over tax paid for 1926. Paid more for 1927 than either of the following States: South Dakota and Nevada.

New York paid total personal and corporation tax for 1927 of \$652,301,086, or 29.71 per cent, as compared with a total tax paid for 1926 of \$618,415,054, or 28.47 per cent, an increase of \$33,886,032 over 1926, or 5.48 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 40 States and Hawaii combined, as follows: California, Maryland (including District of Columbia), Texas, Wisconsin, Connecticut, Indiana, Minnesota, Florida, Oklahoma, Virginia, Kansas, North Carolina, Delaware, West Virginia, Kentucky, Louisiana, Tennessee, Georgia, Colorado, Rhode Island, Washington (including Alaska), Iowa, Alabama, Maine, Oregon, Nebraska, Hawaii, Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

North Carolina paid total personal and corporation tax for 1927 of \$19,531,967, or 0.89 per cent, as compared with a total tax paid for 1926 of \$19,100,611, or 0.88 per cent, an increase of \$431,356 over 1926, or 2.26 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 11 States combined, as follows: South Carolina, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

North Dakota paid total personal and corporation tax for 1927 of \$730,926, or 0.03 per cent, as compared with a total tax paid for 1926 of \$826,252, or 0.04 per cent, a decrease of \$95,326 under 1926, or 11.54 per cent decrease under tax paid for 1926. Paid more for 1927 than any one of the following States: New Mexico, South Dakota, and Nevada.

Ohio paid total personal and corporation tax for 1927 of \$111,586,574, or 5.08 per cent, as compared with a total tax paid for 1926 of \$119,800,019, or 5.52 per cent, a decrease of \$8,213,445 under 1926, or 6.86 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by 21 States and Hawaii combined, as follows: Colorado, Rhode Island, Washington (including Alaska), Iowa, Alabama, Maine, Oregon, Nebraska, Hawaii, Arkansas, Utah, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Oklahoma paid total personal and corporation tax for 1927 of \$23,294,430, or 1.06 per cent, as compared with a total tax paid for 1926 of \$20,407,278, or 0.94 per cent, an increase of \$2,887,152 over 1926, or 14.15 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 12 States combined, as follows: Utah, South Carolina, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Oregon paid total personal and corporation tax for 1927 of \$6,024,339, or 0.27 per cent, as compared with a total tax paid for 1926 of \$6,264,825, or 0.20 per cent, a decrease of \$240,486 under 1926, or 3.84 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by six States combined, as follows: Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Pennsylvania paid total personal and corporation tax for 1927 of \$224,440,937, or 10.22 per cent, as compared with a total tax paid for 1926 of \$213,418,955, or 9.83 per cent, an increase of \$11,021,982 over 1926, or 5.16 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 29 States and Hawaii combined, as follows: Kansas, Delaware, West Virginia, Kentucky, Louisiana, Tennessee, Georgia, Colorado, Rhode Island, Washington (including Alaska), Iowa, Alabama, Maine, Oregon, Nebraska, Hawaii, Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming,

Vermont, Montana, Arizona, Idaho, North Dakota, South Dakota, Nevada, and New Mexico.

Rhode Island paid total personal and corporation tax for 1927 of \$12,645,207, or 0.58 per cent, as compared with a total tax paid for 1926 of \$14,827,361, or 0.68 per cent, a decrease of \$2,182,154 under 1926, or 14.72 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by eight States combined, as follows: Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

South Carolina paid total personal and corporation tax for 1927 of \$3,478,787, or 0.16 per cent, as compared with a total tax paid for 1926 of \$3,917,000, or 0.18 per cent, a decrease of \$438,213 under 1926, or 11.19 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by four States combined, as follows: Idaho, North Dakota, New Mexico, and South Dakota.

South Dakota paid total personal and corporation tax for 1927 of \$676,318, or 0.03 per cent, as compared with a total tax paid for 1926 of \$837,913, or 0.04 per cent, a decrease of \$161,595 under 1926, or 19.28 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by one other State, namely, Nevada.

Tennessee paid total personal and corporation tax for 1927 of \$13,619,203, or 0.62 per cent, as compared with a total tax paid for 1926 of \$12,725,878, or 0.59 per cent, an increase of \$893,325 over 1926, or 7.02 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by nine States combined, as follows: New Hampshire, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Texas paid total personal and corporation tax for 1927 of \$44,391,136, or 2.02 per cent, as compared with a total tax paid for 1926 of \$41,217,710, or 1.90 per cent, an increase of \$3,173,426 over 1926, or 7.70 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 15 States and Hawaii combined, as follows: Maine, Hawaii, Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Utah paid total personal and corporation tax for 1927 of \$3,830,962, or 0.17 per cent, as compared with a total tax paid for 1926 of \$3,780,079, or 0.17 per cent, an increase of \$50,913 over 1926, or 1.34 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by four States combined, as follows: Arizona, New Mexico, South Dakota, and Nevada.

Vermont paid total personal and corporation tax for 1927 of \$2,498,203, or 0.11 per cent, as compared with a total tax paid for 1926 of \$2,714,326, or 0.12 per cent, a decrease of \$216,123 under 1926, or 7.96 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by three States combined, as follows: North Dakota, New Mexico, and South Dakota.

Virginia paid total personal and corporation tax for 1927 of \$22,741,246, or 1.04 per cent, as compared with a total tax paid for 1926 of \$19,614,622, or 0.90 per cent, an increase of \$3,126,624 over 1926, or 15.94 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 12 States combined, as follows: South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Washington (includes Alaska) paid total personal and corporation tax for 1927 of \$12,567,134, or 0.57 per cent as compared with a total tax paid for 1926 of \$12,979,249, or 0.60 per cent, a decrease of \$412,115 under 1926, or 3.18 per cent decrease under tax paid for 1926. Paid more for 1927 than the total tax paid by eight States combined, as follows: Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, and South Dakota.

West Virginia paid total personal and corporation tax for 1927 of \$15,420,533, or 0.70 per cent, as compared with a total tax paid for 1926 of \$14,023,022, or 0.64 per cent, an increase of \$1,397,511 over 1926, or 9.97 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by nine States combined, as follows: Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, and South Dakota.

Wisconsin paid total personal and corporation tax for 1927 of \$42,928,673, or 1.96 per cent, as compared with a total tax paid for 1926 of \$32,994,457, or 1.52 per cent, an increase of \$9,934,216 over 1926, or 30.11 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by 15 States and Hawaii combined, as follows: Oregon, Hawaii, Arkansas, Utah, South Carolina, New Hampshire, Mississippi, Wyoming, Vermont, Montana, Arizona, Idaho, North Dakota, New Mexico, South Dakota, and Nevada.

Wyoming paid total personal and corporation tax for 1927 of \$2,567,967, or 0.12 per cent, as compared with a total tax paid for 1926 of \$1,514,846, or 0.07 per cent, an increase of \$1,053,121 over 1926, or 69.52 per cent increase over tax paid for 1926. Paid more for 1927 than the total tax paid by three States combined, as follows: Idaho, New Mexico, and Nevada.

CONTESTED-ELECTION CASE OF CLARK AGAINST WHITE

Mr. COLTON. Mr. Speaker, I call up a privileged resolution from the Committee on Elections No. 1, on the contested-

election case of W. H. Clark against Hays B. White, from the sixth congressional district of the State of Kansas, and ask for its immediate consideration.

The SPEAKER. The gentleman from Utah calls up a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 122

Resolved, That W. H. Clark was not elected a Representative in this Congress from the sixth congressional district of the State of Kansas and is not entitled to a seat herein.

Resolved, That Hays B. White was duly elected a Representative from the sixth congressional district of the State of Kansas and is entitled to retain his seat therein.

Mr. COLTON. Mr. Speaker, I shall take only a moment or two on this case. The committee does feel, however, that we should take this occasion, and every appropriate occasion, to serve notice on the public generally, and the members of the bar particularly, that these cases are considered upon their merits and upon the law and that political expediency does not enter into our deliberations.

The committee feels also that we should take this occasion to say that the fees in this case are allowed as we believe a fair and impartial judge would allow such fees for the actual services rendered. In this case, particularly on one side, there appears to have been very little work done, and yet a claim was submitted for more than the entire amount authorized by Congress. The committee has not allowed the amount that was claimed. We went over the matter carefully and allowed what we believed was a fair compensation for the work which was done; in fact, I believe it is a generous allowance, and yet it is less than one-half of the amount that was claimed. We expect to follow the practice of allowing a reasonable fee only, and that for service actually rendered.

Mr. CRISP. Will the gentleman yield?

Mr. COLTON. I yield.

Mr. CRISP. Is this a unanimous report from the committee?

Mr. COLTON. It is. The committee is unanimous in making its report and its finding in this case; and I now yield five minutes to the gentleman from Tennessee [Mr. ESlick], the ranking minority member of the committee.

Mr. ESlick. Mr. Speaker, I do not know that I can say anything that would add to the statement of the chairman of the committee, the gentleman from Utah [Mr. COLTON]. Simply the petition and the answer were filed in this case. Absolutely no proof was taken. The attorney for the contestant, W. H. Clark, came before the committee and frankly admitted that the contestant had lost his day in court.

The contestant did make some investigation over the district and had consultations with his attorneys, and for some unknown reason failed to prosecute the contest. Whatever the merits may have been, the committee heard nothing of the facts of the case.

We took up the question of fees and costs, as the chairman has said, just as an impartial judge would. This case was not viewed from the political standpoint, but in order that fairness might be done between the Government on the one hand and the contestant and the contestee on the other, both as to fees and expense account.

There was no difference of opinion between the individual members of the committee and after going over and carefully investigating the expense items and the labor performed by the attorneys, this report comes to the House as a unanimous report, both on the seating of Mr. WHITE and on the question of expenditures.

Mr. COLTON. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER. The question is on agreeing to the first part of the resolution.

The first part of the resolution was agreed to.

The SPEAKER. The question is on agreeing to the second part of the resolution.

The second part of the resolution was agreed to.

ASSISTANT CLERK TO THE COMMITTEE ON INVALID PENSIONS

Mr. MacGREGOR. Mr. Speaker, I call up a privileged report from the Committee on Accounts and ask for its immediate consideration.

The SPEAKER. The gentleman from New York calls up a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay out of the contingent fund of the House compensation at the rate of \$1,800 per annum, payable monthly, for the services of a temporary assistant clerk to the Committee on Invalid

Pensions for the purpose of making the pending work of the committee current. Such employment shall terminate not later than November 1, 1928.

Mr. MacGREGOR. Mr. Speaker, I move the adoption of the resolution.

The resolution was agreed to.

OFFICE OF THE CLERK OF THE HOUSE

Mr. MacGREGOR. Mr. Speaker, I present another resolution.

The **SPEAKER.** The gentleman from New York presents a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That until otherwise provided by law the Clerk of the House be authorized and directed to pay from the contingent fund of the House annual compensation payable monthly as follows:

For the services of a clerk to the Committee on Expenditures in the Executive Departments, \$2,880;

For the services of a janitor to the Committee on Expenditures in the Executive Departments, \$1,200.

With the following committee amendment:

Strike out the figures "1,200" in line 8 and insert in lieu thereof the figures "1,110."

The committee amendment was agreed to.

The resolution was agreed to.

ERMA RUSSELL

Mr. MacGREGOR. Mr. Speaker, I present another resolution and ask for its immediate consideration.

The **SPEAKER.** The gentleman from New York presents a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That there shall be paid, out of the contingent fund of the House, to Erma Russell, granddaughter of Aaron Russell, late an employee of the House, an amount equal to six months of his compensation and an additional amount not exceeding \$250 to defray the funeral expenses of the said Aaron Russell.

Mr. MacGREGOR. Mr. Speaker, with respect to the last resolution (H. Res. 104); I would like the privilege of extending my remarks. This employee was an employee of the House of Representatives for over 50 years, and I would like to make some remarks upon his service.

The **SPEAKER.** Without objection, it is so ordered.

There was no objection.

Mr. MacGREGOR. Mr. Speaker, Aaron Russell entered the service of this House as one of its employees on December 1, 1861, and with the exception of eight years, from 1911 to 1919, served continuously, a total service of 58 years. He died at the age of 87 years. It is testified by those who knew him that he was a man of splendid character and faithful in all things. Russell, upon a meager salary raised a large family and educated and fitted them for professional and other service. He was prominent in the work of his church, in which he was a devoted leader, and was active in civic affairs among colored people who esteemed him highly. During his long service here in the House he became well informed and his acquaintanceship embraced statesmen of the stirring days of the Civil War, of the reconstruction period, and of later years. Among his personal friends, who found in Russell a dependable and conscientious public servant, were Thaddeus Stevens, James G. Blaine, Thomas B. Reed, Samuel J. Randall, John G. Carlisle, Joseph G. Cannon, and many others. His particular friend and benefactor was the late Edward McPherson, prominent as a Member of the House and for many years Clerk of the House. In his office Aaron Russell was a clerk, having won successive promotions from his original position as a laborer. In the McPherson family, I am told, Russell was regarded with admiration and affection for his manly qualities.

To his children, Russell was a fine example of right living. They testify to his correct habits. For instance:

We never saw him in the house with his coat or collar off, or his hat on, and never knew him to smoke, whistle, or spit in the house. No matter how hard it might rain he always insisted that the boys black their shoes before going out. "You must start out right," was his rule.

From 1870 until his death Aaron Russell was a member of the Fifteenth Street Presbyterian Church, in this city. The members of that congregation attended his funeral, and the pastor, the Rev. Halley B. Taylor, D. D., delivered the following address, which is worthy of insertion in the **RECORD**:

When Joseph had caused his father, Jacob, to be brought down into the land of Egypt during the days of the great famine, recorded in the Book of Genesis, he led him into the presence of the then-reigning

Pharaoh in order that the father might meet the monarch in whose sight he had found so great favor, and that the monarch might behold the father whose offspring had saved from death both himself and his people.

While they thus confronted each other Pharaoh, manifesting a kindly interest in the old man before him, asked the friendly question, "How old art thou?" And the patriarch, mindful of the everlasting covenant made by the Almighty with Abraham, Isaac, and himself, made answer in these significant words, "The days of the years of my pilgrimage are an hundred and thirty years." Jacob, in thus replying, enunciated a hope that is easily understood by us, but the universal applicability of the truth inferred too often escapes our serious consideration because of the insistent character of the demands made upon us by the conditions of modern life.

In speaking of the days of his pilgrimage he acknowledged himself a pilgrim. For 130 years he had been journeying. Changing times and scenes and conditions had convinced him that here he had no permanent dwelling place. He saw himself a traveling stranger with no hope of perfect rest until he had at last entered the blessed confines of the Land of Promise.

We, like Jacob, should bear in mind that we, one and all, are but pilgrims. That we have here no continuing city and that each dawning day finds us still strangers, ever passing through the world, revealing our real spiritual worth to our fellow travelers by our responses to the things that touch our lives and by our constant endeavor to bring forth as realities the dreams that stir our souls.

Thought of, then, in the light of the foregoing facts, what manner of man was this our departed brother, Aaron Russell, whose still form before us proclaims the end of his pilgrimage?

Mr. Aaron Russell during the days of his pilgrimage saw the coming and going of 87 years. For 67 years he was cheered on the way by the wife of his youth, who less than four months ago preceded him into the better world. To-day their children, responsible and respected members of society, unitedly lift their voices in grateful praise of him because of his unflinching faithfulness to his family. Men covet the plaudits of the multitude, the encomiums of the eloquent and the distinguishing marks of honor received at the hands of the mighty; but we believe that in the light of truth all such testimonials pale into insignificance when compared with the simple tribute, flowing from the hearts and lips of sons and daughters, testifying to the faithfulness of a parent who dealt kindly and lovingly with those in his power within the sacred precincts of his home, away from the sight of men.

These children reverently pay such a tribute to their father, and we would urge you who hear that as pilgrims you seek to cultivate the confidence and love of those nearest you in order that they may sing your praises when your day is done, even as these find pleasure in declaring the fidelity of their father, our brother, to his family.

Through another set of actions we get a glimpse of the real Aaron Russell and realize that to a most remarkable degree he was generous to his friends. There is a studied and ostentatious generosity often shown by men who evidently intend that it shall inure to their immediate benefit or serve to facilitate the progress of their plans in the future; but, in the generosity of our departed brother, no such ends could have been had in mind. While yet of a sound and alert mind, he called his son and ordered the production and destruction of all his personal papers that had to do with the material indebtedness of his friends to him in order that discomfiture might not befall them because of his departure. Certainly, this was a most remarkable demonstration of unalloyed generosity. As a pilgrim he set the example that teaches that in passing on our way we should strew the pathway over which our fellows must follow with the gladness of kindness instead of the pricking thorns of anguish. His decision harmonized with the petition, "Forgive us our debts as we forgive our debtors."

By the hasty judgment of casual friends Aaron Russell was characterized as pugnacious, but to the eyes of sympathetic friends his so-called pugnacity stood discovered as a fixed principle to stand firmly by his honest convictions. What seemed to have been a fault we must regard as a virtue. Instead of condemning him for his obstinacy we should pray God that all of us might be more determined to stand stubbornly by our hearts' convictions, yielding only to the clear voices of reason, justice, and truth.

If Americans would stand firmly by their convictions as to the undeniable meaning of our Constitution for which these Stars and Stripes stand instead of the existing turmoil, misery, and woe which afflict our land, we should see our country converted into a veritable paradise within the space of a year. May we so live that men may say of each of us that during the days of our pilgrimage we were ever willing to go down with the things in which we believed. We should praise our brother for his positive teaching of so salutary a lesson.

How did this pilgrim respond to the call to cooperate in rendering service with and for his fellowmen?

We are informed in the brief sketch of his life, as just read, that he entered the service of our Government in 1861, and that he served continuously, faithfully, and efficiently until his retirement a very short time ago. The very fact that he rendered cheerful service for three

score years without noteworthy advancement or hope of significant promotion reveals him as a man of rare parts. To look for a generation upon the procession of men moving from stations of inferiority to stations of superiority, and frequently helping them from posts below to posts above him, and to realize that the accident of color was the effective barrier against his own advancement, notwithstanding his merit and efficiency, and continue to render cheerful service, must convince us that this man was a prince in the midst of his nominal superiors if patient endurance be accounted a virtue.

In our scramble to pay homage to men made great by men we often thoughtlessly trample upon men made great by God. I personally believe that there is not a village or hamlet that has not this year laid away among its dead a man who, according to his real merit in the sight of God, was worth more than the most widely known political potentate in our public life. So do we believe that this pilgrim was one of nature's noblemen and that in enduring patiently and loyally such conditions as would have provoked others to rebellion he evinced a spirit that well might rebuke the impatient and enoble, through genuine humility, the proud.

The most important thing that we can say on this occasion with reference to pilgrim Aaron Russell is that, like Jacob of old, he knew the God of his fathers and for nearly 50 years tried to follow His Son Jesus Christ. For nearly a half century he was a member of the Fifteenth Street Presbyterian Church and for many years served efficiently in official capacity. Because of physical disabilities he had not been able to take an active part in the work of the church since my arrival upon the field, but his abiding interest in the church and its affairs manifested itself upon our meeting together in his home. Here in this room we have often lifted up our voices together in prayer. When his weakened physical condition compelled him to deny himself the company of his friends, upon the advice of his physician, he had it distinctly understood that the restriction must not apply to his minister. As a pilgrim he invited and welcomed such assistance as his minister could render in helping him to follow his Guide, even Jesus Christ, who Himself had traveled every step of the way through this strange country.

How unwise we should be to proceed farther with breathless uncertainty on our journey, to go gropingly into the midst of the imminent dangers that each new hour disposes about our pathway; to risk plunging into the chasm of unutterable disaster along the brink of which we ignorantly walk; to jeopardize, by an ill-timed step, both our temporal well-being and our eternal happiness, when stretched out toward us is the hand of the infinite God who guarantees us safe conduct if we are but willing to acknowledge our own need and accept His proffered aid. May we wisely own that we are pilgrims, and trust in the guidance of Him who sent us forth upon our journey and who will lead us safely through life, through death, and into the land of promise without the loss of a single faithful follower.

His pilgrimage is over. He was faithful to his family; generous in dealing with his friends; firm in his convictions; faithful and patient in his duties; and loyal to his church and to the cause of His Lord, the Christ. Our pilgrimage is yet to end. May we bless our fellow men through following our Lord and Savior Jesus Christ, and enter at last into our eternal home, the fatherland of our souls.

I will also insert the address made by the present Clerk of the House, William Tyler Page, who knew Aaron Russell for nearly a half century, and whose testimony as to his character and worth should be made a matter of public record, as follows:

To the eloquent words just uttered I feel I can add little or nothing in the way of eulogy, but I do feel that I must lay my tribute of affection and esteem at the feet of our brother who lies here.

I wish, Doctor Taylor, that the words you have spoken so eloquently and so truly could be incorporated in the official document, the CONGRESSIONAL RECORD, for it was in the House of Congress that this man served the greater part of his mortal life. Few remain who knew him, none remain who knew him better than I, and none loved or respected him more than I for his real worth as a man.

Forty-six years ago on the 19th of this month I entered the office of the Clerk of the House of Representatives as a mere boy, and the first to take my hand in a helpful spirit and to become my guide and mentor was he whose mortal remains lie here.

Yes; I am proud to say that he and I were fast and warm friends. I am grateful for the life and friendship of my friend Aaron Russell. He was a man in every sense of the word. A man of strong principles, religious and political beliefs, which he would never compromise.

I feel a sense of personal loss, and if it were not that I entertain, as did he, those same fundamental convictions, based upon what we call our religion, I should be as St. Paul said—without hope. But I regard this beautiful life that has ceased its pilgrimage here and has continued its pilgrimage in the life beyond as a wonderful example to all of us. An example of strong character, an example of correct living, an example of unswerving attachment to things that have been proven to be right, and, about all, an example of that perfect life which he tried throughout his existence to emulate; for Aaron Russell was a Christian

gentleman if there ever was one, and he never forgot it, and he never hesitated to proclaim it by word and example.

I have served with him in the Capitol as a subordinate, as an equal, and as a superior, and I have always found him the same—true to his ideals, unswerving in his beliefs, and of undoubted rectitude of character. And I want to say to you that you could not find a man whose character furnished a better example.

Now, friends, I can not say more; it would be superfluous; but what I say comes from a heart that is grateful for having known and served with Aaron Russell, and I look upon him now as having just begun a better pilgrimage to that house of many mansions, where he will be greeted with those words, "Well done, good and faithful servant; enter thou into the joy of thy Lord."

We call it death, but He Who went before opened the tomb and made it a gate to eternal life. We look no more upon a closed tomb. He who brought life to us is on the other side of the vale to welcome this pilgrim. So to-day I suppress those natural feelings which come into the breast of a true friend and rejoice that this life has entered into the life eternal, and say in the words of St. Paul, fourteenth chapter, First Corinthians: "Therefore, my beloved brethren, be ye steadfast, as this man was steadfast, unmovable as this man was unmovable, always abounding in the work of the Lord, for as much as ye know that your labor is not in vain in the Lord."

EXTENSION OF REMARKS

Mr. SANDERS of Texas. Mr. Speaker, I ask unanimous consent to print in the RECORD an article appearing in the Dallas News on farm relief legislation.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by printing an article printed in the Dallas News. Is there objection?

Mr. UNDERHILL. I object.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. SIMMONS. Mr. Speaker, I move the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11133, the District of Columbia appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. HOOPER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 11133) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1929, and for other purposes.

The CHAIRMAN. Under the special order the gentleman from Pennsylvania [Mr. CASEY] has two hours and the gentleman from Nebraska 30 minutes.

Mr. CASEY. Mr. Chairman, I yield 30 minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Chairman and gentlemen of the committee, a few days ago, to be exact on the 17th of February, I took occasion on the floor of the House to make a few comments on the significance of the so-called McMaster resolution which was adopted by the Senate of the United States by an overwhelming vote on the 16th of January.

I took occasion at that time to call the attention of the House—and it seems to have attracted some attention outside of the House, particularly from some Members of the House and their constituents, to the apparent great conflict of opinion existing between the representatives of a group of Northwestern States in another body, and their representatives on this floor as registered by their vote on the parliamentary question that came up, tending to show that the representatives on the floor did not agree in the opinion as reflected by the representatives of those States in the Senate of the United States.

Now, gentlemen, that is an important question in this country, in my opinion, and I want to preface my remarks by saying that what I have to say on this issue is without any intention of causing any political trouble to my Republican associates on the floor; but it is an issue of grave importance to the agricultural and business interests of the people of this entire country, especially those who have been clamoring here at the doors of Congress for many years for some relief to agriculture.

My good friend, one of the Representatives from South Dakota [Mr. JOHNSON]—and I am glad that he is here—on the day following my speech arose and undertook to excuse or to explain the votes of his associates from his State and from the other States who voted upon that question directly opposed to the vote of their representatives in another body—

by saying it was merely a formal vote and had no real economic or political significance.

But I respectfully submit, gentlemen, that that is not the case. That Senate resolution came to this body freighted with profound political and economic significance. It had been discussed for many days in the Senate of the United States, and the representatives of those great Northwestern States were appealing to their colleagues to pass a resolution expressing their opinion upon this grave economic question of farm relief.

They were not indulging in a mere waste of time, a mere legislative gesture. I have no doubt the consciousness of the grave position of agriculture in their section of the country as reflected by bank failures and the foreclosure of mortgages and undertaking to find some solution of the question working adversely to their interests, those Senators conceived that one thing working against agriculture was the excessive tariff in the present schedules, forcing them to buy in a protected market a great number of things they have to consume and selling their commodities in the open markets of the world. And they registered that opinion in the solemn record of the Senate before the people of this country, and recognizing as they did the constitutional limitation of their power that all bills controlling revenue must originate in the House of Representatives, they deliberately placed in the last article of that resolution a request that that Senate resolution be respectfully referred to the House of Representatives.

For what purpose? Just to come over here and lie on the table in front of the Speaker, a mere formal gesture, or was it their intention that it should have some force and effect as their solemn opinion upon their own Representatives in this body toward the agricultural interests which they represented? That resolution asked that those excessive industrial schedules be revised downward and at this session of Congress.

The minority leader, Mr. GARRETT of Tennessee, moved to refer that Senate resolution to the only place on earth where the wish of the Senate of the United States could have any hope of being carried into effect, to the Committee on Ways and Means, the committee that must originate tariff legislation and that has the power to repeal the excessive rates they were declaring against. The point of order was made by the Republican leader, the gentleman from Connecticut [Mr. TILSON] and the Speaker sustained the point of order. It is my humble opinion, as the gentleman from Texas [Mr. GARNER] said on that occasion, that that was a decision without parliamentary philosophy to back it. I believed then and I believe now that this House has a right to control the disposition of any paper that may come before it, whether from the Senate or anywhere else, and that the motion of the gentleman from Tennessee was a proper motion, upon which the expression of this House should be obtained.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. JOHNSON of South Dakota. I have the greatest respect for the gentleman from Alabama—

Mr. BANKHEAD. And that feeling is entirely mutual.

Mr. JOHNSON of South Dakota. I served with the gentleman on the Rules Committee. I do not desire to embarrass him—

Mr. BANKHEAD. Oh, the gentleman is not going to embarrass me, I assure him.

Mr. JOHNSON of South Dakota. Would the gentleman, if he had been in the chair, have ruled differently from what the Speaker ruled on that occasion?

Mr. BANKHEAD. I certainly would have.

Mr. JOHNSON of South Dakota. That is where we differ—purely on the ruling.

Mr. BANKHEAD. Otherwise I should never have made the statement which preceded the gentleman's inquiry. The gentleman from Connecticut [Mr. TILSON] moved to lay on the table the appeal from the decision of the Speaker, and then our friends on the Republican side began to squirm a bit, I have no doubt. They say that it had no economic or legislative significance, but it was loaded to the guards with that very thing, for the reason that if you had voted with your representatives in another body on that question you would have sent this resolution to the Committee on Ways and Means, and then those who think as they thought about the necessity for revising some of these excessive schedules would at least have had an opportunity to have gone before that committee, controlled by the Republican Party, and have said, "Here is a solemn prayer and petition from a great group of men in the Republican Party, representing, as they do, a great agricultural section of the country." And you would have had the opportunity

at least to express your views as to whether those schedules should be revised. But you wanted to take the shortest cut and get out from under this responsibility. You wanted to say, "We will follow the party organization; we think the Speaker is sound in his ruling, and we side-step this whole proposition by sustaining the ruling of the Chair."

Mr. HERSEY. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. HERSEY. The men in the West, through their representatives in the Senate, if they really believed in a revision of the tariff schedules, could have gone to the Committee on Ways and Means by a bill or petition, without coming in this irregular way, could we not?

Mr. BANKHEAD. I think that would have been a much more circuitous and unjustified policy than by direct expression of opinion which they indulged in. They took the short cut, and those who voted to keep it away from the Committee on Ways and Means in this House took a roundabout way to chloroform and kill it.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. JOHNSON of South Dakota. Are there any tariff bills now before the Committee on Ways and Means?

Mr. BANKHEAD. Yes.

Mr. JOHNSON of South Dakota. Has the gentleman appeared before that committee in an effort to get any of them out of the committee?

Mr. BANKHEAD. No; of course I have not; but the gentleman from Kansas [Mr. AYRES], a Democrat, has a bill pending before the Committee on Ways and Means, and I call the attention of the western Representatives on the Republican side of the House to the proposal of that bill. It proposes to reduce the present excessive schedules on a great many of the industrial items the farmer has to buy, which the farmer now holds are excessive, and at the same time proposes an increase in the tariff on some or a great many of the articles of agricultural production that you western Representatives say are not now properly protected; so that you have an opportunity, if you desire, to use that as the basis of legislation along the lines of tariff relief which you profess to desire to accomplish at this session of Congress.

Mr. OLDFIELD. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. OLDFIELD. In order to keep the record straight, I think the gentleman from Alabama should know, and also the gentleman from South Dakota [Mr. JOHNSON], that the Republican membership of the Committee on Ways and Means has already decided, and has decided two or three times, not to have even any discussion of tariff legislation at this session of Congress or any hearing.

Mr. BANKHEAD. I have no doubt that is a correct statement, because I do not hear it denied by the distinguished chairman of that committee, the gentleman from Iowa [Mr. GREEN], who is present and who heard it.

Mr. GREEN of Iowa. Oh, the gentleman is mistaken. I did not hear the statement.

Mr. OLDFIELD. I made the statement that the Committee on Ways and Means of the House, controlled by the Republican Party, 15 Republican members and 10 Democratic members, has already decided that they would have no hearings on the tariff question or open it up in any way.

Mr. GREEN of Iowa. I do not know how the gentleman knows that.

Mr. OLDFIELD. Because I was there when the committee voted on it.

Mr. GREEN of Iowa. Oh, I challenge the statement of the gentleman and appeal to the record.

Mr. OLDFIELD. Oh, yes. The committee voted two or three times on that proposition.

Mr. GREEN of Iowa. Oh, no.

Mr. OLDFIELD. Do you intend to have any hearings on the tariff question or open up the tariff question at this session of Congress?

Mr. GREEN of Iowa. I will answer that question at the proper time.

Mr. OLDFIELD. And now is the proper time.

Mr. GREEN of Iowa. The gentleman should not make the statement that he has made.

Mr. OLDFIELD. I say that that statement is correct. Do you deny it?

Mr. GREEN of Iowa. The record will not show that, the record of the Committee on Ways and Means.

Mr. OLDFIELD. Do you deny now that you are not going to do it?

Mr. BANKHEAD. The gentleman does not deny it.

Mr. JOHNSON of South Dakota. I would like to ask the gentleman one question. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. JOHNSON of South Dakota. Would the sending of the McMaster resolution to the Committee on Ways and Means have changed the situation in the slightest degree in relation to the tariff, or any action upon it?

Mr. BANKHEAD. Well, my friend well knows that the only way for you gentlemen to get any tariff relief, if you want any—and I do not know whether the gentleman from South Dakota wants any or not—

Mr. JOHNSON of South Dakota. The gentleman wants agricultural relief without doubt.

Mr. BANKHEAD. Very well. I was just coming to that.

Mr. JOHNSON of South Dakota. Will the gentleman answer that one question?

Mr. BANKHEAD. Yes; and I will go on to answer the gentleman's other remarks, and I am glad of the opportunity. The gentleman has been here a number of years, and he knows that the only way in the world to get agricultural relief by a tariff bill is through legislation coming from the Committee on Ways and Means; and although the gentleman was not here to vote on it the other day, his party voted to keep away any effort to revise the tariff, when the resolution came up, and if he and they had not done that they could secure it.

Mr. JOHNSON of South Dakota. If we can get enough votes on the Democratic side of the House for the McNary-Haugen bill I think we can get relief.

Mr. BANKHEAD. Now, so far we have no McNary-Haugen bill. The gentleman from South Dakota in a speech made a few days ago said, "We are going to wait a little longer and see if we can at this session of Congress secure the enactment of the McNary-Haugen bill, and if we can not do that—and the gentleman in saying that was reflecting the views of many Members on the Republican side and many Members on the Democratic side—"

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BANKHEAD. May I have 10 additional minutes?

Mr. CASEY. I yield to the gentleman 10 additional minutes.

The CHAIRMAN. The gentleman is recognized for 10 additional minutes.

Mr. BANKHEAD. Then they say, "If we can not get a vote on the McNary-Haugen bill we will join with the Republican Senators from the northwest section of the country, and with the Democrats who believe in tariff revision, and try to see whether, through that instrumentality, we can not get some agricultural relief."

Now, gentlemen, the time has now come to "talk turkey," to use a colloquial expression, on agricultural and farm relief. The Committee on Agriculture has been holding hearings every year on the McNary-Haugen bill for five or six years past. That bill was passed by the last Congress and vetoed by the President of the United States. Reams and stacks and volumes of testimony were taken concerning all phases of the question of agricultural relief before the Committee on Agriculture. I dare say not one visible phase of it, of any agricultural or economic significance was omitted in the investigation and exploitation of the subject in all its angles before that committee. What the farmers of this country want, if we are to get anything, is to get some definite action on that bill. Now, will some representative of the Committee on Agriculture, and of the party in power give us to-day some assurance of what is to be done on that question and as to what character of bill is to be brought out?

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield there?

Mr. BANKHEAD. No. The gentleman is not on that committee. I want some one to speak on the question with authority.

Mr. JOHNSON of South Dakota. I will ask the gentleman what he will do as to voting on that bill if they did report it?

Mr. BANKHEAD. I will vote for it. I voted for it before. The gentleman and his colleagues ought to bring it forward and give us an opportunity to vote on it. [Applause.] You ought to bring it in and let us have a vote on it. The time is passing. It is now nearly the 1st of March, and only two or three months more of this session remain. You ought to decide the question whether you want that bill voted on or take your chances in some other way. There was a great soliloquy in one of Shakespeare's great tragedies, Hamlet. It starts out with—

To be or not to be, that is the question.

Now, on this legislative proposition it seems that something else has occurred in the way of a soliloquy, and that is "to fee or not to fee, that is the question"; whether you are going to bring in a bill with the equalization fee in it or not. That is not yet been determined.

But, gentlemen, I say in all seriousness and in all candor that the agricultural interests of this country are entitled speedily to a report, and are entitled now to a report, from that committee. But you are not going to secure the passage of the McNary-Haugen bill at this session. No one who is candid with himself on that proposition can hope to secure that result so long as President Coolidge entertains his present views on the McNary-Haugen bill in its present form.

Why do not you recognize that situation and bring a tariff bill in here and put it upon issue and do something with it? I say it is the duty of the Republican organization in this House that they should meet and determine by a majority of this House to take up seriously the question of a real revision of the tariff in this country, which your own farmers now recognize and so many of your own Senators now recognize is working a great hardship on the agricultural interests of this country.

You say this question is causing some trouble. I do not know what the gentleman's trouble is out in that western country, whether it is economic or political, but it seems to be a matter that is now generally discussed in that section of the country and will be discussed more and more as time goes on, and those people out there and the agricultural people elsewhere have long realized that the excessive tariff on the things the farmer must consume works hurt to him and disadvantage.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Certainly.

Mr. KETCHAM. Of course, I am not assuming to speak for the Committee on Agriculture, but I want to assure the gentleman that the hearings this year are very exceptional in their character, and they are expected to be concluded very shortly. The present delay is for the purpose of allowing the proponents of the McNary-Haugen bill to be heard. I think I can assure the gentleman, while I do not speak authoritatively for the committee, that within the shortest possible time an agricultural bill in some form will be before the House for consideration.

Mr. BANKHEAD. Can the gentleman give us the assurance that it will be in substance the McNary-Haugen bill as reported and voted upon at the last session of Congress, including the equalization fee in it?

Mr. KETCHAM. I can not give the gentleman that assurance, but I can say that the hearings are exceptional and if the gentleman will do the committee the honor of reading those hearings he will find, even as astute a student of agricultural problems as he is, some fine information that has not appeared in other hearings.

Mr. BANKHEAD. May I ask the gentleman whether he himself is in favor of the McNary-Haugen bill with the equalization fee?

Mr. KETCHAM. I will say very directly and emphatically that I am not. I would regard it as an absolutely futile gesture to present that bill to the President of the United States with his known objections to it. I further submit that it seems to me it is the idlest sort of a gesture for you to carry on that idea with the notion that you are going to fool the farmers into the idea that you are the real friends of farm relief if you pursue that course.

Mr. BANKHEAD. There are a good many men on your side who seem to stand by the theory of making that gesture and undertaking to fool the farmers.

Mr. KETCHAM. If that shall be the majority opinion of the committee I am entirely agreeable to their having the utmost opportunity and I shall not interpose any objection except by my vote against it.

Mr. BANKHEAD. Mr. Chairman, I yield back the remainder of my time. [Applause.]

Mr. CASEY. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. O'CONNOR].

Mr. O'CONNOR of Louisiana. Mr. Chairman and gentlemen of the committee, I wish to thank the gentleman from Pennsylvania [Mr. CASEY] for extending me 10 minutes in which to discuss a matter of considerable importance not only to my constituents but, I believe, of importance to the people of this country.

Ordinarily I would not rise to discuss this subject, for the reason that I have discussed it frequently before, and I crave the indulgence of the Members assembled here to-day for imposing upon them for a few minutes, because it might be regarded as an imposition in view of the fact that I have, ever

since I came to Congress, been accorded the honor on the 8th of January yearly of speaking in regard to the importance of the Battle of New Orleans. Of course, the 8th was on Sunday this year. Congress was not in session, and no one from any of the States that are particularly interested in the significance of that victory could speak of the imperishable glory won by Jackson and the wonderful results that flowed from the success of American arms on that battle field.

On that day, my friends, I was in New Orleans and had the honor of speaking, at the request of the United Daughters of 1776 and 1812, in probably one of the most historic squares on the American Continent. It is Jackson Square in the city of New Orleans. On the north and south sides that square is flanked by buildings that are known to lovers of art from one end of this country to the other, from ocean to ocean, and from the Great Lakes to the Mexican sea, as it has been felicitously termed. On the west side of that square is a cathedral, the replica of the chapel at Versailles erected by order of Louis XIV. Over the main altar is Louis IX announcing the seventh crusade. It is said to be one of the finest paintings in America. In that cathedral services were held commemorating and celebrating with appropriate musical and ecclesiastical ceremonies the success of American arms on the fields of Chalmette. On one side of the cathedral is the celebrated Cabildo, in which was consummated the Louisiana Purchase, the greatest land transaction in the history of the world. On the other side is the replica of the Cabildo, known as the bishopric. As I said, ladies and gentlemen in the galleries and my fellow Members, that square is probably one of the most historic squares on the American Continent. One feels, when he is standing in that hallowed spot, that the words, "Take off your sandals; you stand on holy ground," would be entirely applicable. In that square is one of the three great equestrian statues erected to the memory of Andrew Jackson. The work is that of the celebrated sculptor, Clark Mills. One is at Nashville, one is at New Orleans, and one is here in Jackson Square, opposite the White House.

I am speaking, as I said before, my friends, at the request of the United Daughters of 1776 and 1812, because on the day I spoke they asked me if I would not communicate the fact that they, the daughters, held this great meeting in that hallowed spot, in that wonderful square, among those historic surroundings, and ask the Members of Congress to pass a bill which I have pressed here since I first had the honor of coming to Congress.

That battle field, my friends, belongs to the National Government. On it is erected a monument which cost \$25,000 years and years ago. As the result of a provision in the old act whereby the custody, care, and control of the grounds and the monument were given to the United Daughters of 1776 and 1812, the Federal Government has been prohibited from doing anything in regard to that monument or the grounds on which it stands.

I speak occasionally upon this subject, my friends, in a feeling way, because I was born and reared right adjoining that battle field.

When I think of its desolate condition, when I look upon the fact that one of the most important spots in the United States of America is neglected and that Americans who journey down there from all parts of the United States bow their heads in shame and express that sorrow at the neglect of the Federal Government with respect to this battle field, I feel I ought to come before the Members of this House and ask them to write either me or the chairman of the Committee on Military Affairs asking for the passage of the bill which I have introduced, and which I hope will become a law, and which will permit the Federal Government to take control of this battle field and with a small expenditure put it in such a condition that it will not be a disgrace to the American people.

I believe, my friends, in maintaining a proper reverence for the landmarks of America, for its great institutions, and for its great battle fields. [Applause.]

This battle, in my judgment—and I do not think this has been seriously controverted by any people who have studied history—determined that the Louisiana Purchase should be a part of the United States of America. It is true that Jefferson purchased the Louisiana Territory from France for the sum of \$15,000,000. This is a matter of history, but everyone knows who has looked into the record of the whole transaction that Spain conveyed to France by a secret treaty the Louisiana Territory and that act was ultra vires of the powers of the ambassadors or commissioners of Spain and was denounced by England and Spain as a legal fraud.

France conveyed no better title to the United States of America than it had received from Spain, and when Paken-

ham landed down below New Orleans it was for the purpose of recovering territory that belonged to the ally of England—Spain—and if this had been done the Spanish flag would be floating west of the Mississippi River to-day or that territory would be another Canada, and the United States of America would be confined to the territory lying between the Mississippi River and the Atlantic Ocean and the Lakes and the Florida parishes, which was transferred to England in 1763, one year after France had transferred the Louisiana west of the Mississippi River to Spain.

But aside from the wonderful importance of the battle from this standpoint, my friends, I want to say to you that the great victory of Jackson on Chalmette Plains was of incalculable value from another standpoint. The War of 1812 was the greatest tragedy the American people ever had to face. Vicissitude after vicissitude, disaster after disaster, befell our arms, and I am not mentioning it with any gratification, I mention it reluctantly and only for the purpose of driving home the everlasting truth that a house divided against itself can not stand [applause], and in order for the people of our country to be successful in peace and in war there must be no sectionalism, they must be arm to arm, heel to heel, and shoulder to shoulder. You know that during the War of 1812 the Hartford Convention sprung into existence and New England was threatening to secede. They were not in favor of the war, and as a consequence the British forces landed and the American troops fled ignominiously before them. The Capitol was burned and the school children of America were crying in the streets of the cities, villages, and hamlets over the disgrace that had befallen their country. There was no united effort to repel the foe. There was that division, that schism, that discontent, that will always make for disaster and the breaking down of the morale of the people, and America would have emerged from that war with nothing to boast, except for the outcome of this great battle.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. CASEY. Mr. Chairman, I yield five additional minutes to the gentleman from Louisiana.

Mr. O'CONNOR of Louisiana. The value or one of the great values to be attached to this battle was that it revived the broken morale of the American people. It restored confidence in the attitude that they were able, when united and standing heel to heel and shoulder to shoulder and heart to heart, to beat any foe that might ever invade the American continent, and Kentuckians and Tennesseans and Mississippians and Louisianians, with one common purpose in view, and that was to control the Mississippi River and repel the foe, went down to New Orleans under the invincible Jackson and the veterans of the peninsular wars went down as if stricken by a hurricane, and the men who afterwards took part in the Battle of Waterloo were routed horse, foot, and dragoons.

Mr. RANKIN. Will the gentleman yield?

Mr. O'CONNOR of Louisiana. Yes.

Mr. RANKIN. That battle also created more respect for the American flag among foreign nations than any battle that was ever fought on American soil.

Mr. O'CONNOR of Louisiana. I am glad to receive that statement.

Mr. RANKIN. And it was the first battle and the outstanding battle that raised the United States to the position of a world power.

Mr. O'CONNOR of Louisiana. Unquestionably.

As I said before, Mr. Chairman and gentlemen, we were broken, broken in spirit, broken in heart, and everyone believed that the States were going to disintegrate and go back to the protection of the mother country or that we would have a country made up of New England, a country made up of the Southern States, and that beyond the Mississippi would be a new country entirely made up by Americans who had crossed the Mississippi River and were not contented with conditions that obtained or they would have cemented an alliance with Spain or England.

You heard Washington's address read here on yesterday, in which he assured the people of American blood along the Mississippi River that by treaties with Spain and England that there probably would be no reason for discontent in the future.

Mr. BOWMAN. Will the gentleman yield?

Mr. O'CONNOR of Louisiana. I yield.

Mr. BOWMAN. What, if anything, has been done to preserve and maintain this battle field?

Mr. O'CONNOR of Louisiana. Nothing. I want to touch briefly upon that, and I am glad the gentleman has asked the question.

In 1907 Congress authorized the completion of this monument at a cost of \$25,000. There are monuments in cemeteries

all over the United States far more pretentious and far more deserving to be called monuments than this little modest affair on the battle field where Jackson's headquarters were. But a provision was inserted in the act whereby the custody and care and control of the battle field was given to the United Daughters of 1776 and 1812.

My friends, the people of the Southern States are not over-rich. All we have are our memories and our prestige that have sprung from a service devoted to our States, to our God, and to our people. Of course, this organization took it over very proudly, hoping they would be able to accomplish the purpose, but they can not, and they have now authorized me to ask the Federal Government to take care of its own property. They can not carry on, though they have heroically tried to do so. This will not be a great expense, and in my judgment, gentlemen, it will not only be a patriotic act but it will be an act of decency because, as the battle field is to-day, it is a reflection upon the patriotism of the American people.

Why, it signifies that they are willing to forget the influence of these great battle fields in the history of America, that they are not mindful of the wonders accomplished and the tremendous results that flowed from that great battle.

Mr. GREEN of Florida. Will the gentleman yield?

Mr. O'CONNOR of Louisiana. I will.

Mr. GREEN of Florida. Inasmuch as the strong arm of the Government goes out to preserve these monuments and their proper dedication on the battle fields throughout the United States, does the gentleman believe that the people of New Orleans should be compelled through civic organizations to perpetuate this battle field?

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. O'CONNOR of Louisiana. I do not want to occupy any more time. I have carried out the commission at the request of these good ladies. I was reluctant to comply with their request because I have spoken so frequently on this subject, but I am glad I have done so. May I ask permission to extend my remarks in the RECORD by including an article written by Mr. Clifford Raymond in the Liberty Magazine, which contains probably the best account that I have read up to this time of the Battle of New Orleans? Its leading title should be "Lest we forget." It is strong medicine in some respects, but nations, like individuals, need strong medicine. It should keep us in mind forever of the great national truth, "In union there is strength"—that a house divided against itself can not stand.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The matter referred to is as follows:

JACKSON AT NEW ORLEANS—THE STORY OF A CAMPAIGN THAT SAVED THE WEST

By Clifford Raymond

The fourth battle to keep New Orleans out of British hands was fought January 8, 1815. It was decisive, almost obliterating the British, and is celebrated now as Jackson Day.

The first one, fought December 23, 1814, was a night attack by the Americans on the British advance regiments which had landed from small boats off Lake Borgne, taking the defenders of the city by surprise. This was on plantation lands along the Mississippi, 7 miles below the city to the southeast—lands skirted by cypress swamps and marshes.

The night fight was a confused affair, with friends mistaken for enemies and enemies for friends. The British kept the field. The second meeting had been a grand reconnaissance by the British to test the American line. The third had been an artillery duel, with the infantry of the two armies as spectators. The British artillerymen were outshot and driven from their guns.

British officers, experienced in America—such as those who had met Joshua Barney's artillery at Bladensburg, Md., a few months before—were prepared for that, but the soldiers more recently come from the Napoleonic wars were not. It was inexplicable that American artillery could outshoot British guns.

Bladensburg had been the capstone of national disgrace. Only Barney's sailor-manned artillery relieved the incompetence and panic. New Orleans later was an astonishing victory. There was some difference in the quality of American troops engaged, but most of the difference was in one man—Andrew Jackson.

The United States was down to the dregs of the cup of humiliation when the New Orleans campaign began. Its credit was gone. Its specie was gone. It was dissolving. The New England States had definitely withdrawn their militia from Federal service.

Massachusetts and Rhode Island were negotiating what was virtually a treaty of defense and alliance, as if one were Mexico and the other

Guatemala. The Hartford Convention had begun, and it was, without much cover, an assemblage of secessionists.

Massachusetts was bustling with few factories, and, in spite of its closed ports, it and the other New England States had all the hard money in the country. Elsewhere the large banks were broke.

James Monroe, Secretary of State, had to pledge his personal credit to get a nickel for the Government. He was always flat himself, but his credit was better than that of the United States. In 1814 \$40,000,000 was needed. Congress dared authorize an issue of only \$25,000,000 in bonds and the Treasury dared offer only \$10,000,000, of which \$9,000,000 was jobbed out at 88 per cent of its face value.

New England would not buy bonds. It had the largest and best-equipped militia (80,000), but would not allow it to be used by the United States; and it was spending its specie to discount British drafts for enemy army paymasters; and it was getting the hard money back by selling supplies to the British commissary.

New England and upper New York subsisted the enemy army in Canada for its attacks from the north, driving cattle across the boundary and hauling in forage, grains, and mess supplies.

Sir George Prevost, the British commander, wrote his home office that his army was fed by the Yankee supplies.

Sedition, secession, disgrace, and dishonor had been pyramided upon the fragile Republic in sectional rivalries and partisan ignominies until union was a mockery and national stability was a comedy.

The Union was so nearly done for that the most radical secessionists in Massachusetts waited only for the capture of New Orleans to make it a fact. Then John Cabot would be President of New England. For every New England man who died under Brown, Scott, Maccomb, Perry, and MacDonough, 10 fractious theorists, profit seekers, and blind partisans did work in the rear which made that sacrifice futile.

Madison was sick with anxiety. The city of Washington was taken, the public buildings were burned, the President of the United States was a fugitive in the Virginia woods, and his wife, fleeing in a coach, was subjected to the insults, profanity, and obscenity of a panic-stricken rabble crowding the roads from the city they hadn't the courage to defend.

The cup was about drained, and New England secessionists watched with unmistakable satisfaction the failure of the war and the possible dissolution of the Union. Fully half of New England was loyal, but the other half seemed to have the upper hand.

There was a Unionist in the White House some 18 years later who was ready to hang John Calhoun for secession threats in South Carolina over the tariff. That President was Andrew Jackson, who at New Orleans had not been able to get muskets for all his soldiers, so badly had sedition and disunion broken the power and credit of his Government in war.

If the meaning of the sentiment in the flagstaff of this magazine needs explanation, it may be found in circumstances of its authorship.

Stephen Decatur was in command of American frigates in this war—of the *United States*, which captured the *Macedonian*; of the *President*, which was captured by a British squadron. His toast to "my country, right or wrong" comes to this generation from battle fields of American dead killed by soldiers fed by American beef and American breadstuffs when American soldiers could not get war material.

If Decatur seems ethically indifferent to debatable points of right or wrong, it may be because of his observation of the physical consequences of disunion, disloyalty, dissension, and discord.

The White House was burned in August, 1814. Decatur gave his toast in April, 1816. He was mortally wounded in a duel at Bladensburg in 1820. The cause was his country's military honor as he saw it in his controversy with James Barron, another naval officer.

It was the sardonic luck of the United States to declare war on Great Britain just as Napoleon was starting his self-wrecking campaign against Russia.

It was the further luck of the luckless Republic still to be at war when the allies were marching into Paris, when Napoleon was sent to Elba, and Great Britain, thoroughly irritated, was free to use as many of Wellington's veterans as might be needed in America.

The British used the West Indies as a base. The first rendezvous for the warships and transports was Bermuda. From there the expedition sailed to harry the coast of the Chesapeake, to burn public buildings in Washington, to raid the shores of the Patuxent and the Patapsco Rivers in Maryland, and attack Baltimore.

The purpose, as stated by the British admiral, Cochrane, in a letter to Secretary of State Monroe, was "to carry into effect measures of retaliation against the inhabitants of the United States for the wanton destruction committed by their Army in Upper Canada" and "to destroy and lay waste such towns and districts upon the coast as may be found assailable."

The distracted Government in Washington could do nothing to save the National Capital, and a contemptuous enemy stacked up the President's furniture and applied the torch. Dolly Madison had time before flight to have a negro servant save the portrait of Washington.

Baltimore defeated the attack and the expedition sailed away, leaving ravaged shores.

The second rendezvous again was in the convenient West Indies. This time the warships and transports anchored in broad Negril Bay, in Jamaica, 50 vessels, with the 80-gun *Tonnant* as flagship. More troops joined the army there—Major General Keane's four regiments of Wellington's peninsular veterans and the Praying Highlanders of the Ninety-ninth Regiment from the Cape of Good Hope.

There were 3,100 men who had been in the taking of Washington, 1,500 marines, two regiments of Jamaica negroes, and probably 10,000 sailors. The British troops were the flower of the army, and a touch of at least reflected genius was to be found in Maj. Gen. Sir E. Pakenham, Wellington's brother-in-law.

This was November. The Gulf coast was the object of attack, and New Orleans, it could be seen, was the almost certain point. At New Orleans there was nothing but a governor quarrelling with the legislature, a population which was supposed to regret its recent incorporation into the United States with Napoleon's sale of the Louisiana Territory, and of this populace a few hundred creole gentlemen drilling in uniformed companies. But there was to be Andrew Jackson, and the creole gentlemen proved that their loyalty to their new country was gunpowder proof.

The war was as nearly a religion in the American West as obstruction to it was an article of faith in New England. Ohio, Indiana, the Northwest Territory, Kentucky, and Tennessee had not been interested in the avowed causes of it.

The impressment of seamen, indignities to American sovereignty on the sea, interference with trade, and maritime humiliation and injury did not affect western corn planters and fur traders, but the continuance of the Indians in western land did.

The success of the Revolution had not ended the British-Indian alliance for the restriction of the American westward advance. English profit and Indian profit each required the stemming of the pioneers.

Tecumseh's great plan of Indian union—the second and last of a native statesman, Pontiac's being the first—had been disclosed prematurely because the evangelistic end of it, his brother, the Prophet, broke loose too soon. William Henry Harrison had his bare victory at Tippecanoe, near Fort Wayne, Ind., the year before war was declared on Great Britain for maritime reasons.

Tecumseh had reached far out for his confederation against the whites, and the Creeks of the South were the right wing of his hope. His left rested on the British outposts in Canada, and his center was in the tribes in the Northwest Territory.

Indians meant British intrigue to such men as Andrew Jackson. Every frontier leader knew that the new States and Territories could not have peace until Great Britain was persuaded to take another view of the westward American movement.

Tecumseh's evangel among the Creeks had shot the fiery arrow in August, 1813, when the white settlers had congregated in and about Samuel Mims's place above the Tombigbee and Alabama Rivers for protection. Mims's buildings had been stockaded, and there was a garrison of soldiers.

One drowsy August day it was stormed by 1,000 Creeks under the half-breed Weatherford. Four hundred soldiers and civilian men, women, and children were killed by the Indians.

The reverberating horror of that frontier disaster brought action, and, in the course of it, the great soldier of the frontier, Jackson. He was still suffering from the wound of his fight with the Bentons in the tavern at Nashville, and his intestinal disorders had a fresh grip on him; but he almost destroyed the Creeks as an Indian power. Jackson had the frontiersman's attitude toward the Indian and a great hatred of enemy whites who used them.

Pensacola was Spanish governed, but the British had not respected the neutral character of the Florida territory and the Spanish were agreeable to the British use of it. Pensacola had been a base of supplies for the Creeks and a refuge for escaped warriors—Red Sticks, as they were known.

While the British prepared to ravage the Chesapeake region and the Gulf coast with their Napoleonic veterans, Jackson was carrying on a private war with Spain to teach the Spanish governor what neutrality meant.

When he was ordered to the defense of New Orleans, he was preoccupied with the Spanish and the British along the Florida coast and what is now Alabama. He thought the British would attack Mobile, and almost up to his discovery of the enemy on the Villeré plantation, 7 miles from New Orleans, he maintained that opinion. When he was assembling troops for the Louisiana defense he left at Mobile at least 1,000 regular troops, seriously weakening himself.

President Madison and Secretary Monroe had information of the great invasion being prepared at the Jamaica base. The American peace commissioners sitting with the British at Ghent were standing firm against impossible British terms and were sending military intelligence to Washington.

The administration had much difficulty in bringing Jackson to see the real danger. Monroe wrote him that "Mobile is a comparatively trifling object with the British Government," and that Jackson's presence on the Mississippi River with the main body of his army was of vital importance.

Jackson did not yield to Washington's urgency until November 22, 1814, when he set out from Mobile. Four days later the British sailed from Negril Bay, Jamaica. Jackson was sick and traveled the 125 miles slowly.

He had sent General Coffee with his mounted riflemen to Baton Rouge. He had ordered the Forty-fourth Regular Infantry, 331 rank and file, to New Orleans, where the Seventh Regulars, 465 men, were stationed. His other forces were widely dispersed.

General Carroll's 2,500 Tennessee militiamen were coming down the Mississippi, and somewhere above them on the river were about the same number of Kentuckians under Generals Adair and Thomas.

There were also on the Ohio or Mississippi two boat loads of muskets. Both boats were proceeding leisurely, the captains, by agreement with the authorities, trading along the way. Fortunately, General Carroll found one boat and took the arms. Hinds's Mississippi Dragoons, 100 or so strong, were near Baton Rouge.

Jackson entered New Orleans December 2. He approached the town by the road along the Bayou St. John, which empties into Lake Pontchartrain on the north.

He met the Louisiana authorities, the quality folk, and Commodore Patterson, with the ships *Carolina* and *Louisiana*. Jackson said he could save New Orleans, and the people stopped some of their dissensions.

He was the object of great curiosity, particularly to the creole ladies, who viewed him with whatever prejudgments of his character they might have, as duelist or disciplinarian, bar-room fighter or Indian fighter, gallant husband or border bully. They found he had courtly manners, and when he said that New Orleans and its women were safe from the rumored British toast to "Booty and beauty," they believed him.

If the city anticipated the application of this sentiment in the event of capture, there was justification in the letter from Lord Bathurst to General Ross after the taking of Washington, before Ross's death was reported in England, to "make its [New Orleans's] inhabitants feel a little more of the effects of your visit than what has been experienced at Washington."

Jackson, as it was revealed later, had just three weeks to put the city in defense, and his preconceptions of how the attack would be made were all wrong. He thought the British would sail up the 100 miles from the Gulf to the city and put it under the navy guns. That would require the reduction of Fort St. Philip, 60 miles down. If the river route should not be used, Jackson thought the enemy would gain Lake Pontchartrain to the north and come down from there.

He devoted himself to inspections and to encouraging the local militia. Six gunboats on Lake Borgne were to apprise the general of an approach by the lakes and to resist a small boat attack if they could, the lake not being navigable for the British ships.

The British came to the lake entrance December 10. The watching gunboats under Lieutenant Jones retired into the lake. The British organized a boat party of 1,000, sailors and marines, which, after a rowing pursuit from the night of December 12 until noon December 14, caught the gunboats becalmed and captured them. That was 40 miles to the east of New Orleans and word of it reached the city the evening of December 15.

Jackson sent messengers to Coffee at Baton Rouge, and Carroll and Adair up the river, to hurry down. Coffee started on December 17 and traveled 120 miles in two days with 800 men, 450 being unable to keep the pace. Carroll's Tennesseans were at the city's outskirts December 21.

It is strange that, with the approach of the British revealed by the capture of the gunboats, Jackson did not know where the enemy was. Its advance was on the Villeré plantation before its movements were unmasked to him.

British supplies and guns for the attack had to be transported 30 miles in small boats from the ships outside Lake Borgne, and it was a week's work. The advance was disembarked on the Isle aux Poix in the lake December 14.

The Villeré plantation was within 7 miles of the city, but two British officers successfully scouted the approach to it December 18, with Spanish fishermen from a village at the mouth of the Bayou Bienvenu as guides.

Along the river bank there was the levee and a road. The plantations extended back to a cypress swamp. Canals and bayous cut the ground. The scouts led the advance off the Isle aux Poix to the Villeré plantation so secretly the morning of December 22 that Major Villeré was captured in his own home.

By the next day 1,600 British troops were on the river bank less than 7 miles below the city, and neither Jackson nor anyone else there knew of it until messengers came running in with the alarm. One was Villeré, who had escaped and got into the city with the news.

New Orleans did not have a yard of earthworks to protect it; but if Jackson had been remiss thus far, he was so no longer. He was himself when he saw his enemy. He set about to do what few commanders would have done—to attack a post of the best troops of the age with about their same number of city volunteers; Louisiana militia, frontier riflemen, regulars, and sea smugglers and freebooters, outfits

which had never operated together under any command, many never having been under fire.

The curiosities of the New Orleans campaign are many, not the least of which is the still prevailing American belief that there was but one short murderous battle, with American riflemen behind cotton bales.

Jackson hastily assembled Major Planche's battalion of creole volunteers, Hinds's dragoons, Beale's New Orleans sharpshooters, Coffee's riflemen, a few Choctaw Indians under Jugeant, negro freedmen under Daquin, the Regulars, and some of the patriotic smugglers of the Lafitte brothers from their Baratarian roost. It was as strange a force as ever advanced under an American general.

Jackson marched out of the city with about 2,200 men, leaving half of his force as protection against an attack from the north. The British on the plantations by the river bank were under Colonel Thornton, who had led the attack at Bladensburg.

Pakenham had not yet taken command of the army, and Major General Keane, who had it, wanted all the forces assembled before he advanced. Thornton had about 1,900 in camp, and in the fighting he was reinforced by two regiments.

The *Carolina* dropped down the river in the afternoon and was to use its guns on the British right. Jackson sent Coffee's riflemen along the edge of the swamp to flank the British and, if possible, to get behind them. Jackson was to attack right, left, and center, and the guns of the *Carolina* were to give the signal.

At a little after 7 in the evening Commander Patterson sent his first shot into the British position, and the fight began in the dusk and was carried on in the dark. Coffee's men, coming out of the swamp, fought as they knew best—Indian fashion—and when too close for rifle fire, with knives, tomahawks, and rifle butts.

In the dark enemy and friend soon became indistinguishable. Even the British order was broken. Groups and detachments stumbled about in the night, advanced, retreated, fought, surrendered, died in each other's clutches, or hid. The British could not get full advantage of their superiority in discipline, but they had enough of it to keep the field. Coffee's men were involved with the reinforcements coming up, and that spoiled their encircling movement. Between 9 and 10 o'clock the firing ceased.

The losses were not excessive. Keane reported 267 killed and wounded; the Americans 213 killed, wounded, and missing. The steadiness of the British had saved them, but the American onset had been sufficiently daring to make the enemy respect the force defending the city.

Jackson hadn't driven the advance into the river, but he had caused it to lose the only opportunity of getting into the city without going over fortifications. Two miles from the field of this night attack he put soldiers and negroes to work throwing up earthworks in the land between the cypress swamp to his left and the river to his right.

After a few feet of digging, water would ooze up and it was difficult to raise the works. Cotton was tried. It was a failure, as the artillery duel proved later, and it was then dragged out.

For the Napoleonic veterans of the British Army the military situation was as trying as any they ever had been in. Physical conditions were distressing. It was cold and wet. They were miles from their source of supplies. The *Carolina* in the river fired on them, and although the casualties were not numerous a few cannon can make even a disciplined force miserable out of all proportion to the danger.

The small boats were bringing more men all the time, but the *Carolina* kept most of the force under cover. Worse still, the navy began to taunt the army for being held up. The British naval officers said that if the soldiers could not get going they would land the sailors and do the job themselves.

Pakenham, coming on the field Christmas Day, felt the ignominy of his position and sent back to the ships for cannon to dispose of the *Carolina*. The labor was tremendous, but by December 27 a battery was ready. Hot shot and shell drove the ship's crew ashore and the schooner was destroyed. The *Louisiana*, farther up the river, was hauled out of range.

Patterson, however, had succeeded in getting one 24-pound gun and two 12-pounders ashore to the west bank from the *Carolina*, but the British were free to move about on firm land without losing legs and heads, and that was a solace to the spirit.

It was time, Pakenham decided, to try a grand reconnaissance and test out what lay between him and New Orleans. He had 10 of the best British regiments, 2 regiments of West Indian black troops, brought along because of their supposed adaptability to the climate and now half frozen, and the support of numerous marines.

The advance began December 28. In less than 3 miles it came to Jackson's breastworks. There, under the fire from the *Louisiana* and the rifles from the American line, it stopped. Pakenham planned to breach the works with artillery and then storm.

More guns had to be brought from the British fleet. Meanwhile Jackson strengthened his batteries. The British guns were ready January 1, and the artillery duel began. If there was an advantage in metal and position, it was with the British, but after five hours' firing not a British gun was being served.

The British in their gun protections had used barrels of sugar, which were found to offer no protection whatever.

Jackson got his cotton from boats in the river. The New Orleans cotton merchant, Nolte, was a volunteer in Major Planche's battalion. He protested when high-grade cotton was taken off a boat of his and complained that a low grade, obtainable in the city, would serve just as well.

Tradition credits Jackson with the remark that if he owned the cotton he would have additional reason for defending the line. The cotton proved to be as unfit for fortification as the sugar. It caught fire and nearly demoralized the defense.

The American artillery superiority was undeniable when the royal artillerists had fled from their guns, and the British conceded it.

"Never was a failure more remarkable or unlooked for than this," the British Lieutenant, Gleig, wrote in his journal of the campaign. Admiral Codrington, of the British Fleet, wrote that "such a failure in this boasted arm was not to be expected, and I think it a blot on the artillery escutcheon."

Some of the American artillerists were the Baratarian smugglers of the French brothers, Jean, Pierre, and Dominique Lafitte.

Since December 10 the greatest armada and the finest army Great Britain had ever sent to American waters had been approaching a city of a State but recently added to the American Union, with a population relied upon to be hostile to the Union, and the powerful expedition had been stopped cold by a strangely conglomerate army of defense under a gaunt, sick Indian fighter.

Pakenham prepared for a grand assault on both sides of the river. Secretly he extended a canal to get boats on the river. Major General Lambert was on his way with two regiments, and the delay for preparations was not wasted time. Pakenham wanted the reinforcements before he attacked.

The Kentuckians of Thomas and Adair reached the American camp, but they, unlike the Tennesseans under Carroll, had not met a boat-load of muskets, and they were not equipped.

When Pakenham's canal was dug he put his boats in the river and sent 1,000 men across under Colonel Thornton. The defense on the west bank of the river consisted of Patterson's battery facing the water, some works by Major A. L. Latour, and some Louisiana volunteers.

It was Jackson's weak side, but an enemy on the west river bank had the river to cross before he could get into New Orleans.

When Jackson discovered that Pakenham was putting men across to the west shore, he ordered some of the unequipped Kentuckians to double back the 5 miles to New Orleans, beg the citizens for the use of firearms saved out to meet a possible slave uprising, and, thus equipped, to ferry across and come back down the other bank.

The Kentuckians, with what they could get, went across the river and down to join the inadequate defense. They were exhausted when they arrived and ineffective when they were needed. And no wonder.

A deserter had crossed over to the British ranks from the American lines and had reported that the weakest spot in Jackson's defense was the left, toward the cypress swamp. There was where Coffee's riflemen were strung out. They reached to the swamp, and at its edge their line was run backward to prevent a possible flanking movement. It was a weak line when the deserter last saw it.

The British, after the slaughter which followed their attack, had enough vitality left in them to hang the deserter, he crying out against the injustice of it. Carroll's Tennesseans had come into Coffee's lines, and the British attack, seeking a weak spot, had gone into the deadliest rifle fire.

The thing which Pakenham did in trying the attack was admittedly desperate, but so also was his whole position, in spite of his splendid army. He could not maneuver. There was no room. On one side was the river. On the other side was the marsh and swamp.

It was British tradition that troops could take a position in frontal attack, carrying material for filling ditches and ladders for scaling walls. It also was in the history of British regiments in America that they had not done it on many occasions; but Pakenham with his reputation to maintain, was convinced that he had to do it, even with Andrew Jackson animating the troops behind the breastworks.

Pakenham died rallying the men when they withered under the rifle and artillery fire. Before that fire, in 25 minutes, the storm troops of Great Britain disappeared. There were 700 killed, 1,400 wounded, and 500 taken prisoners. Major General Gibbs was mortally wounded, and Keane was seriously injured. The American loss was 8 killed and 13 wounded.

On the other side of the river the British drove the Kentuckians back. Their flight was inconsequential, except that it made Jackson mad and started a feud which lasted almost a lifetime with General Adair and Kentucky, the Kentucky folk thinking that they had been most miserably treated.

Jackson's night attack on the British was December 23. In Ghent, December 24, the American and British peace commissioners signed a treaty of peace. They were drinking each other's health when Jackson and the British were counting the dead. The news of the peace did not

arrive until February, but before that the United States knew that the attempt to restore Louisiana to Spain or to set it up as a free nation had failed.

The Louisiana Purchase, stretching to the Pacific, was safe. The Mississippi was an American river. The threat of an Indian buffer State in the Northwest Territory between the Republic and Canada was gone. Great Britain was definitely out of American western affairs for the first time.

New England secession was stopped. The Government under President Madison had a gift of life from Andrew Jackson on the Mississippi a full month before it knew that the war was over.

In that month, if New Orleans had been taken, the peace signed at Ghent and unknown in the United States might have been only a postscript written to national disunion. With victory, the Union was a Union again, and it was the South which next would assert the right of withdrawal when the acts of the Union were unpleasant to a State. South Carolina was to take the place of Massachusetts in this respect.

Wellington was asked what explanation he had for the failure of his veterans. He said he did not know what might have been the matter with them. They had not seemed to be as good in Louisiana as they had been in Spain. He thought they lacked an iron will driving them.

Probably they lacked Wellington, but more probably their difficulty was that they met Jackson.

Mr. O'CONNOR of Louisiana. Kentucky, Tennessee, Mississippi, and Louisiana are as one for this bill, and Members from all the other States have assured me of their support. At their request I am making the leading provisions of the measure a part of this address. I know this House is for the bill. The Members all want to see the old historic place where the good fight was fought properly taken care of, for, after all, we have the same hopes, aspirations, and desires—divided only as the waves, but one as the sea. I know that the Secretary of War will give his approval to the patriotic purpose that may be accomplished by the expenditure of a small, modest sum. It is flexible and elastic in its provisions, giving the Secretary of War the power to consummate the purpose in his own way, and when he sees fit to do so he will discharge that duty, I know, in accord with the dignity of the great trust that will be his. It is the Government's own property, and the Nation should and will be glad through him to do the noble thing. The bill directs him to submit annually to the Bureau of the Budget, in accordance with the provisions of the Budget and Accounting Act, 1921, an estimate of the amount required to be expended in connection with preserving and maintaining the monument and grounds in a suitable manner and in placing markers on the battle field so as to establish and fix the position of the several divisions of American and British troops; and place such statues and busts of American officers as he may deem necessary to perpetuate their valor and appropriately embellish the battle field. He shall also cause to be built and constructed, at a cost to be fixed by him, a memorial or shrine, which shall be a repository for such records, portraits, pictures, and trophies which may be presented by States, subdivisions thereof, and patriotic societies and organizations and persons of American birth, and accepted by the Secretary as appropriate to such an edifice.

Let the day be all the brighter, the night has been so long and so dark.

Mr. CASEY. Mr. Chairman, I yield 30 minutes to the gentleman from Mississippi [Mr. Wilson].

Mr. SIMMONS. Mr. Chairman, I yield the gentleman from Mississippi 15 minutes additional.

The CHAIRMAN. The gentleman from Mississippi is recognized for 45 minutes.

Mr. WILSON of Mississippi. Mr. Chairman and Members of Congress: A great calamity has befallen our people. The inhabitants of the Mississippi Valley have fought against this tragedy for more than 200 years. No soldiers ever fought more valiantly or more honorably for their country and loved ones than the courageous souls who live along the banks of the Mississippi have fought for their home and country and loved ones in the years that have passed.

The people of the great Mississippi Valley have impoverished themselves and put a tremendous debt upon their children's children in an effort to cope successfully with the ever-increasing danger of this mighty stream. They have not complained. They have merely asked for that justice to which every citizen of our country is entitled.

The Mississippi River receives drainage from 31 States, or from an area that represents 41 per cent of the entire area of the United States. These waters thus drained come rushing like a mad torrent down upon these helpless people, and in an effort to control this almost uncontrollable stream these people, especially those who live in the lower Mississippi Valley, have spent and mortgaged their all. And after fighting this stream through all these years, and after they have exhausted their

every resource to control it, they come now to that great mother of us all, the Government of the United States, to ask you to come to their rescue and to assume the responsibility that rightfully belongs upon the shoulders of the Government.

A GIANT OF 60,000,000 HORSEPOWER

The Mississippi River from Cairo to the Gulf is a 60,000,000 horsepower giant during flood. If this great power could be harnessed, Muscle Shoals would be but a useless pigmy in comparison.

But this 60,000,000-horsepower giant is largely spent in driving great volumes of water down the river, eroding banks, transporting silts, and beating a ceaseless and dangerous tattoo upon the levees along its course.

Even though only a fraction of its potential power is used, the Mississippi River, greatest in the world, is a direct servant to the continental United States in drainage, navigation, water supply, power, and other vital aids to manufacturing and agriculture.

It is the Nation's servant. Yet it is a source of great danger to a certain part of the Nation, and that endangered portion is not responsible for the condition that makes a sword of Damocles hang over its head night and day.

The people of the stricken and endangered area have a right, therefore, as expressed by the Staple Cotton Cooperative Association, of Greenwood, Miss.—

to ask that the Nation protect us from floods which originate in the national domain, and to do this not as a favor, but as a national duty, and as a good business proposition as well.

NATIONAL RESPONSIBILITY NOT A NEW IDEA

National responsibility for the control of the Mississippi is not a new idea, born of the tragedy of 1927. It dates back to the very first days of this Republic. Washington and Jefferson, by word and action, made it plain that this greatest river of our continent was for the Nation to use and to control. The early statesmen of this Republic emphasized this responsibility of the Government for the river.

If the system be not national—

Said Henry Clay once in the United States Senate—

I should like to know one that is national.

President Lincoln said:

The most general object I can think of would be the improvement of the Mississippi River.

The statesmanship of America must grapple with the problem of this mighty stream—

Said President Garfield—

It is too vast for any State to handle; too much for any authority other than that of the Nation itself to manage.

President Roosevelt, after a visit to the valley, said:

We must build the levees and build them stronger and more scientifically than ever before.

And President Coolidge recognizes the responsibility of this Government, although he has, to date, indicated that the burden of this responsibility should be shared by the affected States. His party said, however, in a platform plank:

The Mississippi River is the Nation's drainage ditch. Its flood waters, gathered from 31 States and the Dominion of Canada, constitute an overpowering force which breaks the levees and pours its torrents over many million acres of the richest land in the Union, stopping mails, impeding commerce, and causing great loss of life and property. These floods are national in scope and the disasters they produce seriously affect the general welfare.

While the Democratic Party expressed it in this language:

We hold that the control of the Mississippi River is a national problem. The preservation of the depth of its water for the purpose of navigation, the building of levees to maintain the integrity of its channel, and the prevention of overflow of land and its consequent devastation, resulting in the interruption of interstate commerce, the disorganization of the mail service, and the enormous loss of life and property imposes an obligation which alone can be discharged by the Federal Government.

Partisanship does not cast its selfish shadow across this humanitarian issue.

The tragedy of 1927 in the Mississippi Valley, followed by the disastrous floods in New England, has touched and united the hearts of the North and South in a common sorrow, and kindled in their hearts the desire that this Government shall not withhold its full protection from any stricken section over which the threat of a repetition of calamity still rears its ugly head.

IN MEMORY OF BEN HUMPHREYS

And while we are considering this great problem may we not pause for a moment, for my heart is in the grave with one who sleeps an eternal sleep in a beautiful little city built upon the very banks of this great stream, one who did much to stifle the foul spirit of partisanship that too often enters into our deliberations here.

If the great Benjamin G. Humphreys could speak to us now, he would plead for his Government to protect his people in the valley that he loved so well.

The fight that is now being carried on is but the culmination of his splendid efforts.

Ben Humphreys had more information about the Mississippi River and its problems than all the other students of this subject, and it would make him rejoice to-day to know that his friends of days gone by here in this body are fighting his battle for his people.

He threw to you gentlemen the torch when his faltering hands could hold it no longer. He bade you hold it high. And I know you are not going to break faith with Ben Humphreys, your friend, and the great servant of a great cause. [Prolonged applause.]

PROTECTION, NOT RECLAMATION

I desire to call your attention now to this statement from the message of President Coolidge read to the Seventieth Congress at its opening session last December:

The Government is not an insurer of its citizens against the hazard of the elements.

The Government does not undertake to reimburse its citizens for loss and damage incurred under such circumstances.

Mr. Chairman, the people of the Mississippi Valley are not seeking reimbursement for the tremendous damages they have suffered. They are not asking that this Government pay them back, dollar for dollar, or a cent for a dollar, for their losses in the 1927 flood or in any of the numerous floods previous to that time. They are not asking the Government to write insurance policies against the hazard of the elements.

But they are asking that their lives and property and general welfare be given the adequate protection guaranteed them under the Constitution as citizens of the United States.

Protection and not reclamation or reimbursement is the request of the people of the Mississippi Valley.

No more reasonable a plea ever came from the lips of a stricken people.

No request was more just nor filled with greater merit.

And no country in the history of all the world from its beginning to this hour was ever in better position to be able to help its citizens in time of a national crisis than is the Government of the United States to-day.

HOW THE PEOPLE HAVE PAID

For 125 years and more these people of the Mississippi Valley have not balked at one of the greatest works of reclamation ever undertaken by any people anywhere—

Said the Hon. Alf H. Stone, of Mississippi, in a memorandum submitted to the Flood Control Committee of the House.

They have spent uncounted millions in the task—

He continued—

speaking for the Yazoo Mississippi Delta area alone, we have still outstanding nearly \$50,000,000 of bonds which represent money spent for drainage canals, highways, public buildings, schoolhouses, street paving, etc., and we are raising annually more than \$10,000,000 in taxes.

These people ask no help of anybody toward completing this work of development and reclamation. All they ask is that what they have accomplished be protected against floods from elsewhere, that the fruit of their hundred years of toil be not destroyed by the waters of the Nation's greatest stream.

THE DEFINITION OF RECLAMATION

Mr. Chairman, we ask that the Government assume full responsibility for an adequate flood-control program.

We ask that it protect the lives and property of the people of the Mississippi Valley.

It is the land of this region that is to be benefited—

Said President Coolidge.

To say that it is unable to bear any expense of reclamation is the same thing as saying that it is not worth reclaiming.

But, as a matter of information and definition, let me say that reclamation of the rich land adjacent to the Mississippi River is not consummated by the simple building of an adequate levee system.

You might as well say that the building of levees on the Amazon in the wilds of South America reclaims the lands adjacent to this river and is, therefore, a reclamation project.

It is not. No land is reclaimed until it has people who will live on it and work it; until it has railways, highways, drainage, churches, schools, banks, health centers, markets, towns and cities filled with businesses, places of amusement and attraction; and the people of the Mississippi Valley have provided these things and have, therefore, by their own efforts and expenditure of time, energy, and money already reclaimed this land.

They have done this at the sacrifice of their profits, and after their own resources have been exhausted and their taxes paid and devoted largely to this purpose they have mortgaged their places until the major portion of their holdings is tied up in legal paper to loan companies, insurance companies, and brokerage houses.

But they began this reclamation in the first days of the history of the valley as a place for American citizens to live and toil for self and home and country; and they, having put their hands to the plow, have never turned back.

What they have reclaimed, therefore, they ask you now to protect.

WITH REFERENCE TO JADWIN

The Chief of Engineers of the United States Army at the time of the 1927 flood was Maj. Gen. Edgar Jadwin, a native of Pennsylvania, a Regular Army man, now 63 years old, and who for 43 years has been in the military service of this Government.

It was his task to recommend an engineering program to prevent a repetition of the 1927 tragedy of the Mississippi. His assignment was technical.

It was neither his duty nor his province to make any recommendation as to where the money should come from to do the work or whether the Government should bear it all or just a part.

But his position as Chief of Engineers is of such importance at this time that whatever he says has a direct bearing upon flood-control program and legislation. And, either by his own free will and thought or by direction from a higher source, he recommended a division of the financial responsibility for flood control.

In full justice to General Jadwin I desire to say that I believe he has the finest possible grasp of the engineering task involved, but I do say that he exceeded his province when he tried to say where the money should come from to do the work or as to who should assume the responsibility. That is the province of Congress, and Congress alone.

BEWARE OF A MUSSOLINI OF FLOOD CONTROL

In putting the huge flood-control program into operation let us beware of creating a Mussolini. I am opposed to the Jadwin request that the Chief of Engineers administer the flood-control program as a sovereign dictator. This is exactly what he would have done. He says:

The Army Engineer flood-control plan contemplates that the project be administered by the Chief of Engineers, with the Mississippi River Commission working under him in an advisory capacity.

He then says this in support of his request that would make the Chief of Engineers a virtual Mussolini:

How many commissions ever administered a job with efficiency? The United States Government has a single head, with advisors. So do the various departments of the Government. Every corporation is administered by a single head.

The general is evidently unmindful of a very familiar portion of the Constitution of the United States when he says that this Government is administered "by a single head with advisors." I suggest that he read again the Constitution that very plainly creates a governmental triumvirate composed of the executive, the legislative, and the judicial branches. The Congress of the United States is not the "advisor" of the President; neither is that the function of the judicial branch of the Government.

I do not think that General Jadwin is so personally ambitious that he desires to go down in history with the fame of General Goethals, and I do not think that his request for the powers of a Mussolini for the Chief of Engineers in regard to flood control is a personal desire, because his four-year tour of duty as Chief of Engineers will be ended by operation of the Manchu law or by retirement before any plan can get well under operation.

But I do think that his suggestion is unworthy of serious consideration. The administration of this program rightly belongs in the hands of a commission of engineers and econo-

mists; its personnel should include civil engineers with Mississippi River experience in equal number and with equal rank and power with the Army engineers; and one or two practical business men from the Mississippi Valley, who have first-hand and lengthy contact with the river problem, should have a place thereon.

Mr. McDUFFIE. Will the gentleman yield?

Mr. WILSON of Mississippi. I will.

Mr. McDUFFIE. I want to suggest to the gentleman that in all these projects submitted the Chief of Engineers for his examination reports—I think on every occasion they have put in an estimate as to the cost of this project—how much money it is going to take. In justice to General Jadwin I do not think he meant to go out of his way, but thought evidently it was a part of his duty in passing judgment on it to suggest the cost.

Mr. WILSON of Mississippi. I am not impugning his motive, but I still maintain that it is not his nor any other engineer's duty to recommend to Congress whether the Government shall bear the whole expense or the locality a part of the expense.

Mr. McDUFFIE. It has been done.

Mr. WILSON of Mississippi. Yes. Murder has been committed, but a second murder does not make the first one right.

Mr. McDUFFIE. But the gentleman is arguing that it was wrong; I do not agree that it was wrong.

Mr. WILSON of Mississippi. I am not complaining of his right to give an estimate of the cost, but of his division of responsibility between the Government and the locality.

Mr. McDUFFIE. The gentleman does not think that the locality should ever contribute to the project?

Mr. WILSON of Mississippi. Not when it is a matter that affects the general welfare of the people of the United States; no, sir.

ENGINEER JADWIN NOT INFALLIBLE

Lest too much faith be placed by laymen in the words and plans of an engineer, especially one of the prominence, by virtue of his rank and assignment, as Edgar Jadwin, I want to read a statement made by a gentleman of the valley who is not an engineer, but who is an unquestioned authority upon the Mississippi River problem, and who explodes with fact one of Jadwin's pet suggestions.

I quote from the brief submitted to the Flood Control Committee by Hon. Oscar Johnston, discussing the plan of the Army engineers:

Not being a civil engineer, I shall not presume to criticize the engineering plans submitted by the general, other than in a single particular, namely, the matter of "fuze-plug levees."

The plan provides for a fuze-plug levee at Cypress Creek. The idea of the plan is that at a given height in the water this "fuze plug" will blow out, break, or be overflowed, permitting the escape of a given quantity of water; the maximum of this quantity is stated in the plan at 900,000 cubic feet per second. The greatest crevasse, I believe, that has ever occurred in the Mississippi Levee was the break at Mounds Landing, when the water stood approximately 19 feet above the level of the ground. This break was a half-mile in width. The water swept through with an unprecedented velocity, and yet it is only estimated that the flow through this crevasse was approximately 500,000 cubic feet per second. This crevasse washed out a lake or "blue hole" more than 100 feet deep and cut a channel more than a mile back into the interior, destroying 5,000 acres of land by depositing sand of such character as to prevent successful cultivation of the soil in the future. If such a result happens at one of the fuze plugs, it would be almost an impossible task to restore the levee without looping or building back for some distance. A few successive breaks of this sort at the same point would shortly result in a channel being cut from the head to the mouth of the spillway.

Those of us who have lived behind levees the greater part of our lives are decidedly of the opinion that levees have a perverse way of not breaking at points where they are expected to break. Frequently water is impounded and raised temporarily as the result of a windstorm; frequently windstorms bring about waves that wash into and cut through a strong levee standing several feet above the crest of the water; frequently levees are undermined by water seeping through below the base.

We believe from practical experience, as opposed to engineering theory, that such spillways as are constructed should be of the type commonly known as "controlled," or should be left open at the head and leveed along the sides so that the flow of water through the spillways may be controlled and regulated.

\$296,400,000 OR \$750,000,000?

The Army Engineer report, recommended in toto by President Coolidge, says "the total cost of the recommended project is \$296,400,000."

The President, transmitting this report saying that the Government "may even bear 80 per cent of such costs," infers that 20 per cent, or \$59,280,000, would be all, therefore, that the local areas would have to pay.

But the engineer plan very plainly omits an estimate for drainage, costs of flowage rights, and rights of way for flood control.

The Mississippi River Commission submitted the figure of \$775,000,000 as its best estimate of the cost of a comprehensive flood-control plan. Now, 20 per cent of this would be \$155,000,000—and that is a far cry from the figure of \$29,280,000 as would be indicated by the Army engineer estimate.

Let us not be misled, nor try to mislead, in handling this situation. We people of the Mississippi Valley are ready and willing to open our books to you, without a page concealed; and in return we ask that the agencies of this Government charged with recommending a plan for congressional action deal with us fairly, frankly, and aboveboard.

THE PLEDGE OF THE CONSTITUTION

The preamble to the Constitution of the United States, augmented by section 8 of Article I thereof, pledges the aid of this Government to such a situation as arose when the flood of 1927 threatened the general welfare of the people of this country.

This pledge was made in the very beginning of the political sovereignty of this country; and when a situation arises that requires a pledge to be fulfilled, the fulfillment thereof becomes a solemn duty.

It is, therefore, the solemn duty of this Government, in keeping faith with its Constitution and its people, to assume the responsibility now and hereafter for protection of the lives and property of the people of the Mississippi Valley. [Applause.]

To say that the Government will assume "part responsibility" is to shirk a duty. To impose upon an innocent people any portion of this financial responsibility is to evade a solemn pledge. In such a national disaster as that of the Mississippi flood of 1927, the absolute responsibility for further prevention lies wholly and unqualifiedly upon the National Government.

To bring this tragedy under the provisions of the so-called general-welfare clause of the Constitution is no task at all. It comes under the constitutional guaranty, because the lives of American citizens are in constant hazard under the present situation.

No people can live with any feeling of security and build real American homes while facing probable disaster—

Said the United States Chamber of Commerce.

Mr. Hoover made the statement that to permit one and one-half millions of people to live under such a continuous hazard from year to year is unthinkable.

IN OPPOSITION TO LOCAL CONTRIBUTIONS

The Mississippi River is the Nation's stream—

Said Hon. Le Roy Percy, former United States Senator from Mississippi, and prominent for many years in flood-control work.

The Nation at its expense should construct and maintain levees and other means of flood protection.

Chairman FRANK REID, of the House Flood Control Committee, made this statement:

The people of the Mississippi Valley have already been bled white in paying the bill of the Nation's drainage. It is unthinkable that any student of our Government will assume that the United States, in the discharge of the purely national governmental function of protecting the lives and property of its citizens from destructive flood waters of navigable rivers and promoting the interstate commerce of this Nation, should demand of local communities a part payment of the cost.

Hon. L. O. Crosby, president of the Mississippi State Board of Development and personal representative of Governor Bilbo at the hearings, made this statement:

When you gentlemen of the committee have ascertained the facts and the real conditions that exist in the flooded area, I have no hesitancy in believing what the people of my State believe—that you will recognize it as a national problem, and we will have action along those lines.

Hon. A. H. Stone, of Washington County, Miss., made this succinct statement in the course of his valuable testimony before the committee:

It is a national proposition, and it always has been national in its scope.

Hear the words of a man who has seen the maximum local effort and money go to nought in the face of this herculean problem:

The situation is becoming more and more tense until this lower country, which is as fine a country as there is in the world, by degrees you may say is going to destruction.

That is from the testimony of A. M. Pepper, representing the Yazoo-Mississippi Delta Board, a man who has spent the greater part of the 27 years of his life face to face with this threat of destruction; and who realizes, as do others, that this is no longer a task for anyone save the Government itself.

AVOID A "KILKENNY-CAT FIGHT"

Hon. Walter Sillers, sr., of Rosedale, Miss., who represented the Board of Mississippi Levee Commissioners and who began his fight against this problem in 1882, knows that if this Government refuses to take full charge of the problem now that the result will be, as expressed in his testimony before the committee—

A Kilkenny-cat fight, in which only a few districts will survive.

The waters of many States pouring into the Mississippi overcharge the stream to the extent that it makes it impossible for the few States in the lower reaches to handle the situation, and the control of the flood waters becomes a national problem—

He said.

Two principles laid down by the Mississippi Department of the American Legion when it held its annual meeting in Greenville before the waters had receded from that stricken city, are worthy of remembrance. Capt. W. T. Wynn, who represented that organization in the hearings at Washington, put them in the record, as follows:

First. That the control of the flood waters of the Mississippi River is a national problem, and the sole responsibility should be vested in the National Government.

Second. That the matter of flood control should not be interfered with by political differences; it is a matter beyond party lines or the now mythical sectional border, and no halfway measure should be tried.

The immensity and national importance of the question is sounded in a section of the testimony of Mr. Alexander Fitzhugh, a prominent business man of Vicksburg, Miss., when he told the committee:

We believe a careful estimate of the situation would justify the statement that the control of the floods of the Mississippi River is equally as important to the business of the country as the construction of the Panama Canal, and surely the moral obligations resting upon Congress to protect the people of the flooded section is more binding.

DILEMMA OF THE TAXPAYERS

Mr. J. S. Allen, chief engineer of the Board of Mississippi Levee Commissioners, a man of long experience and high standing in his profession, gave valuable testimony at Vicksburg when hearings were held by the Mississippi River Commission at the suggestion of the War Department.

What he said I want you to hear—and I quote this important paragraph from his testimony:

My board is heartily in favor of the Government taking over these levees. We realize that our taxpayers have come to the end of the road.

In fact, I make this statement here in all sincerity: That if the Nation can not see a way to turn this over to the Corps of Engineers in toto I think it is time for the local taxpayers to get out of the valley entirely. That statement has been made by able lawyers and business men not only in my territory but from several territories, and they make it from their hearts. I am convinced that they have gone as far as they can.

The report of the commission for 1925 shows that the local taxpayers put up \$154,000,000 for levees alone since 1882 and the Federal Government put up \$63,000,000; or, in other words, 71 per cent by the local districts and 29 per cent by the United States.

It has become too heavy and it is up to you, as I can see it, to make the valley safe absolutely—build so big that there will be no question of failure.

DEPTH OF FINANCIAL ABILITY SOUNDED

The levee boards have a bonded indebtedness to-day that passes the \$40,000,000 mark. They have sounded the depth of their financial ability.

The truth of the matter is, Mr. Speaker and Members of Congress, that the levee boards have reached that condition frequently reached by the individual—financial embarrassment.

Their bonds are no longer sought in the financial mart. Listen to this warning from William R. Humphrey, representing

the Compton Investment Co. and the Mississippi Valley Group of Investment Bankers Association:

I have been asked to come before you to discuss the question of whether levee districts can float bonds at satisfactory prices on the present market to pay a portion of the cost of flood-control works.

I have given a good deal of thought to this question; and the answer is, no; they can not.

The question immediately arises, why can not these bonds be marketed? The answer to that is that there have already been too many defaults in the payment of special assessment bonds. The good market which they enjoyed two or three years ago is not in existence now.

The investment bankers have found for some time that they can not sell drainage and levee bonds.

Now, many breaks in the levee in the 1927 flood occurred simply because the local people were financially unable to cope against the problem. Definite citations of this condition were made in the testimony of Hon. Oscar Johnston when he said:

Two of the breaks that happened in Arkansas this past year happened because of the inability of local contribution. I have reference to the break at Knowlton and another at Laconia Landing. Both of those levees were known to be below grade and unsound and insecure, and it was known two years or more before the flood to every engineer on the river that they would not withstand a flood. The Mississippi River Commission went in and offered to do the work under the prevailing rule—one-third contribution by the local district, two-thirds by the Mississippi River Commission—and the two little districts, almost poverty stricken and bonded, answered: "We are unable to furnish our one-third." The Mississippi River Commission made the only answer that it could make: "We can not under the law give you any aid," and the two levees were left down. The water that poured out of the west bank of the Mississippi River at Knowlton and Laconia demonstrated and emphasized the fallacy of requiring local contributions, wherein one little local district can sit back and say: "We can not contribute," and a crevasse may happen there that will overflow the whole district and make worthless all the work that has been done.

THE ATTITUDE OF THE PRESS

Editorial opinion that flood control is a national responsibility is not confined to the press of the Mississippi Valley. I am glad to note that leading newspapers all over the United States have analyzed the situation and have come out in vigorous editorial expression for a governmental assumption of the entire responsibility.

In this connection I quote two paragraphs from an editorial that appeared in the Washington Post a few days ago:

That the United States must undertake this gigantic work and pay for it is a foregone conclusion. The difficulties in the way of apportioning part of the cost to the lower Mississippi States are insuperable. No method can be found for justly apportioning their share of the cost. No State has the right to expend money for enterprises outside of its boundaries. But beyond these difficulties arises the outstanding fact that the lower Mississippi States are not responsible for the floods and should not be taxed to control them.

The Mississippi River is a national stream, draining many States and benefiting or damaging the American people, as the case may be, without regard to State lines.

The lower States have already taxed themselves for scores of millions for local protection, only to be overwhelmed last year as if they had not spent a dollar. They can not control the river.

If this Nation is in duty bound to pay for any part of flood-control work, it is bound to pay for all of it. The river is not the property of any State or groups of States. It is the property of the United States, and the owner is responsible for the damage done by his property.

PROTECTION IS THE ISSUE

The issue before this Congress for action is whether the Federal Government, as the guarantor of the welfare of its people, shall place into operation the machinery necessary to carry out this guarantee, and to do so at its own expense; or whether it will simply assume a part of the responsibility for this complete guarantee, and demand a pound of flesh from the already suffering valley.

In the words of Hon. J. W. Cutrer, of Clarksdale, Miss., vice president of the Mississippi River Flood Control Association and a brilliant authority upon flood control legislation:

The issue is one of extended security, happiness, and prosperity, or a recurrence of disasters until annihilation must result.

Even in Wall Street, where money is the god of the bankers, and where the soundness of their financial operations determines the ratio of success, the feeling is current that the financial responsibility for the full flood control program belongs

upon the Government of the United States. This is indicated in the testimony of C. H. Markham, chairman of the board of the directors of the Illinois Central Railroad, who said that he had had conferences with New York business men and—

those who understand it [that is, the flood control problem] are of one voice in declaring that this is a national proposition, and ought to be handled by the National Government.

HOW THE PEOPLE SUFFERED

The true story of how the people of the Mississippi Valley suffered in 1927 can never be told nor pictured in words and figures. A master realist, struggling with the task to picture in words the 1927 tragedy, would have to confine himself to his own observations and the stories that came from others. It was too vast for the observation of one man.

Those who were there and those who were spared the tragedy, but who sympathized with the people of the valley, know that the tragedy can not be reduced to a statement of dollars and cents involved.

Yet tables of losses will convey some idea of the magnitude of the tragedy, and I want to read to you the figures for the 20 counties in my own State that suffered the ravages of the flood:

County of Adams

20 houses destroyed	\$12,000
80 houses damaged	24,000
8 stores damaged	4,000
3 gins damaged	7,000
6 barns destroyed	3,000
20 barns damaged	5,000
24 other buildings destroyed	3,000
50 other buildings damaged	4,000
Damage to merchandise	5,000
Damage to farm implements	3,500
Damage to automobiles	2,500
Damage to feed	5,000
Damage to household goods	25,000
Cost of replanting	10,000
Damage to land by washing and spreading of obnoxious grasses	40,000
Loss of rents on lands not cultivated by reason of overflow	130,000
Damage to 200 miles of fence	10,000
Business losses	250,000
Damage to private roads and bridges	10,000
Total property damage	553,000

County of Bolivar

200 houses destroyed	80,000
2,000 houses damaged	100,000
10 stores destroyed	10,000
20 stores damaged	5,000
10 gins damaged	2,000
20 barns destroyed	10,000
50 barns damaged	10,000
1,000 other buildings destroyed	100,000
2,000 other buildings damaged	10,000
Damage to merchandise	50,000
Damage to farm implements	10,000
Damage to automobiles	20,000
Damage to feed	20,000
Damage to seed	10,000
Damage to household goods	100,000
300 horses and mules destroyed	30,000
500 cattle lost	25,000
1,000 hogs lost	10,000
10,000 poultry lost	10,000
Cost of replanting	10,000
Damage to land by washing and spreading of obnoxious grasses	1,000,000
Loss of rents on lands not cultivated by reason of overflow	1,000,000
Damage to 100 miles of fence	20,000
Business losses	1,000,000
Damage to growing cotton crop	500,000
Damage to other crops	100,000
Damage to private roads and bridges	50,000
Damage to private ditches and drains	50,000
Damage to school buildings and equipment	7,500
Total property damage	4,349,500

County of Claiborne

14 houses destroyed	2,100
40 houses damaged	1,000
1 store damaged	150
Damage to feed	300
6 horses and mules lost	600
4 cattle lost	100
Cost of replanting	500
Loss of rents on lands not cultivated by reason of overflow	500
Total property damage	5,250

County of Coahoma

100 houses destroyed	64,800
25 houses damaged	12,500
1 store destroyed	1,500
100 barns destroyed	10,000
250 other buildings destroyed	12,500

Damage to farm implements	\$11,250
Damage to feed	2,250
Damage to seed	3,750
Cost of replanting	1,000
Damage to land by washing and spreading of obnoxious grasses	150,000
Loss of rents on lands not cultivated by reason of overflow	36,600
Business losses	25,000
Damage to growing cotton crop	50,000
Damage to other growing crops	10,000
Damage to private roads and bridges	500
Damage to private ditches and drains	5,000
Total property damage	396,680

County of Grenada

125 houses damaged	9,375
200 other buildings damaged	5,000
Damage to feed	2,000
5 horses and mules lost	500
10 cattle lost	200
2,000 hogs lost	20,000
500 poultry lost	250
Damage to 10 miles of fence	500
Business losses	10,000
Damage to private roads and bridges	7,500
Total property damage	55,325

County of Holmes

50 houses damaged	2,500
15 stores damaged	150
6 barns damaged	150
40 other buildings damaged	400
Damage to farm implements	1,000
Damage to automobiles	250
300 hogs lost	1,500
100 poultry lost	75
Cost of replanting	15,000
Loss of rents on lands not cultivated by reason of overflow	2,000
Business losses	25,000
Damage to growing cotton crop	10,000
Damage to other growing crops	2,000
Damage to private roads and bridges	5,000
Total property damage	65,025

County of Humphreys

Houses, stores, gins, barns, and other buildings destroyed and damaged	760,715
Damage to merchandise	225,000
490 horses and mules lost	49,000
700 cattle lost	14,000
2,400 hogs lost	24,000
28,000 poultry lost	14,000
Loss on average crop expected	3,228,024
Damage to school buildings and equipment	15,000
Total property damage	4,329,739

County of Issaquena

2,725 houses destroyed or damaged	550,000
Barns destroyed or damaged	60,000
Other buildings destroyed or damaged	70,000
Damage to merchandise	10,000
Damage to farm implements	40,000
Damage to automobiles	15,000
Damage to feed	40,000
Damage to seed	10,000
Damage to household goods	135,000
410 horses and mules lost	41,000
350 cattle lost	7,000
1,950 hogs lost	19,500
17,000 poultry lost	8,500
Sheep and goats lost	1,000
Damage to land by washing and spreading of obnoxious grasses	400,000
Damage to fences	20,000
Damage to school buildings and equipment	5,000
Total property damage	1,432,000

County of Jefferson

10 houses destroyed	6,000
40 houses damaged	10,000
8 stores damaged	4,000
1 gin destroyed	4,000
3 barns destroyed	1,500
10 barns damaged	2,500
12 other buildings destroyed	1,200
25 other buildings damaged	2,500
Damage to merchandise	4,000
Damage to farm implements	2,000
Damage to automobiles	2,000
Damage to feed	3,500
Damage to household goods	15,000
12 horses and mules lost	1,200
75 cattle lost	3,000
200 hogs lost	2,000
500 poultry lost	250
Cost of replanting	5,000
Damage to land by washing and spreading of obnoxious grasses	30,000
Loss of rents on lands not cultivated by reason of overflow	68,000
Damage to 100 miles of fence	5,000
Business losses	200,000
Damage to private roads and bridges	10,000
Total property damage	382,650

County of Leflore

600 houses damaged	\$15,000
1 gin damaged	250
Damage to farm implements	1,000
Damage to feed	2,500
Damage to seed	2,475
200 hogs lost	1,500
2,000 poultry lost	1,000
Cost of replanting	35,000
Damage to land by washing and spreading of obnoxious grasses	5,000
Loss of rents on lands not cultivated by reason of overflow	50,000
Business losses	50,000
Damage to growing cotton crop	100,000
Damage to other growing crops	10,000
Damage to private roads and bridges	4,000
Total property damage	277,725

County of Panola

10 houses damaged	500
6 other buildings damaged	150
Damage to baled cotton	250
Damage to farm implements	150
Damage to automobiles	250
Damage to feed	1,000
Damage to seed	500
Damage to household goods	500
10 horses and mules lost	1,000
25 cattle lost	750
250 hogs lost	2,500
200 poultry lost	100
Cost of replanting	2,000
Loss of rents on lands not cultivated by reason of overflow	7,000
Business losses	10,000
Damage to private roads and bridges	5,000
Total property damage	31,650

County of Quitman

25 houses damaged	875
65 other buildings damaged	650
Damage to household goods	300
20 horses and mules lost	2,000
10 cattle lost	200
20 hogs lost	200
200 poultry lost	100
Cost of replanting	1,000
Damage to land by washing and spreading of obnoxious grasses	10,000
Loss of rents on lands not cultivated by reason of overflow	2,500
Business losses	50,000
Total property damage	67,825

County of Sharkey

4,535 houses damaged	619,000
50 stores damaged	15,000
25 gins damaged	15,000
150 barns damaged	37,500
5,500 other buildings damaged	137,500
Damage to merchandise	8,000
Damage to baled cotton	4,200
Damage to farm implements	87,500
Damage to feed	115,000
Damage to seed	67,500
Damage to household goods	312,000
300 horses and mules lost	37,500
500 cattle lost	12,500
5,000 hogs lost	50,000
25,000 poultry lost	12,500
Cost of replanting	156,250
Damage to land by washing and spreading of obnoxious grasses	50,000
Loss of rents on lands not cultivated by reason of overflow	500,000
Damage to fences	40,000
Business losses	500,000
Damage to growing cotton crop	560,000
Damage to other growing crops	400,000
Damage to school buildings and equipment	20,000
Total property damage	3,756,950

County of Sunflower

30 houses destroyed	12,000
2,050 houses damaged	205,000
2 gins damaged	5,000
2,000 other buildings destroyed	100,000
8,000 other buildings damaged	200,000
Damage to farm implements	100
Damage to automobiles	2,000
Damage to feed	20,000
Damage to household goods	60,000
50 horses and mules lost	5,000
200 cattle lost	4,000
3,000 hogs lost	30,000
37,500 poultry lost	17,000
Cost of replanting	150,000
Loss of rents on lands not cultivated by reason of overflow	400,000
Damage to 10 miles of fence	1,000
Business losses	500,000
Damage to growing crops	100,000
Damage to private roads and bridges	5,000
Damage to private ditches and drains	5,000
Damage to school buildings and equipment	5,000
Total property damage	1,826,100

County of Tallahatchie

100 houses damaged	\$2,500
20 barns damaged	2,000
200 other buildings damaged	2,000
Damage to farm implements	2,000
Damage to feed	5,000
Damage to seed	5,000
Damage to household goods	2,500
50 horses and mules lost	5,000
100 cattle lost	1,500
1,000 hogs lost	10,000
3,000 poultry lost	1,500
Cost of replanting	5,000
Loss of rents on lands not cultivated by reason of overflow	125,000
Damage to 10 miles of fence	1,000
Business losses	200,000
Damage to growing crops	10,000
Damage to private roads and bridges	10,000
Damage to private ditches and drains	5,000
Damage to matured crops	12,000
Total property damage	407,000

County of Tunica

Damage to feed	1,000
25 cattle lost	625
50 hogs lost	500
Cost of replanting	4,000
Loss of rents on lands not cultivated by reason of overflow	2,000
Business losses	15,000
Damage to growing cotton crop	50,000
Damage to other growing crops	10,000
Total property damage	83,125

County of Warren

182 houses destroyed	32,600
625 houses damaged	21,000
6 stores destroyed	6,000
10 stores damaged	1,500
5 gins destroyed	25,000
5 gins damaged	5,000
300 barns damaged	5,000
50 other buildings damaged	22,500
785 other buildings damaged	3,750
Damage to merchandise	19,625
Damage to farm implements	2,000
Damage to automobiles	15,000
Damage to feed	30,000
Damage to seed	2,000
Damage to household goods	22,400
30 horses and mules lost	3,750
190 cattle lost	7,600
1,200 hogs lost	12,000
3,500 poultry lost	1,750
Cost of replanting	6,200
Damage to land by washing and spreading of obnoxious grasses	7,500
Loss of rents on lands not cultivated by reason of overflow	150,000
Damage to fence	1,000
Business losses	100,000
Damage to growing cotton crop	3,000
Damage to other growing crops	1,000
Damage to private roads and bridges	1,000
Damage to private ditches and drains	5,000
Damage to matured crops	2,500
Total property damage	520,675

County of Washington

2,150 houses destroyed	782,500
12,500 houses damaged	2,687,500
35 stores destroyed	17,500
750 stores damaged	215,000
2 gins destroyed	6,000
48 gins damaged	39,000
105 barns destroyed	107,500
850 barns damaged	90,000
3,500 other buildings destroyed	375,000
8,000 other buildings damaged	270,000
Damage to merchandise	325,000
Damage to baled cotton	2,520,000
Damage to oil mills	500,000
Damage to farm implements	350,000
Damage to automobiles	800,000
Damage to feed	500,000
Damage to household goods	565,000
1,500 horses and mules lost	150,000
3,500 head of cattle lost	140,000
10,000 head of hogs lost	100,000
300 sheep and goats lost	2,250
100,000 poultry	75,000
Loss on replanting	1,250,000
Loss on average crop expected	11,000,000
Damage to school buildings and equipment	40,000
Total property damage	22,907,250

County of Wilkinson

10 houses destroyed	2,000
35 houses damaged	1,750
3 barns damaged	75
75 other buildings destroyed	3,750
50 other buildings damaged	1,250
Damage to farm implements	1,000
Damage to household goods	2,500
150 horses and mules lost	15,000
100 cattle lost	4,000

50 hogs lost.....	\$500
200 poultry lost.....	100
Loss of rents on lands not cultivated by reason of overflow.....	150,000
Business losses.....	225,000
Damage to growing cotton crop.....	10,000
Damage to other growing crops.....	2,500
Damage to private roads and bridges.....	200

Total property damage..... 419,625

County of Yazoo

10 houses destroyed.....	10,000
100 houses damaged.....	50,000
15 stores damaged.....	7,500
15 gins damaged.....	15,000
1 barn destroyed.....	1,000
100 barns damaged.....	50,000
1,000 other buildings destroyed.....	150,000
1,000 other buildings damaged.....	100,000
Damage to merchandise.....	30,000
Damage to baled cotton.....	25,000
Damage to oil mills.....	20,000
Damage to farm implements.....	50,000
Damage to automobiles.....	50,000
Damage to feed.....	75,000
Damage to seed.....	25,000
Damage to household goods.....	125,000
50 horses and mules lost.....	5,000
200 cattle lost.....	4,000
1,000 hogs lost.....	10,000
5,000 poultry lost.....	2,500
Cost of replanting.....	5,000
Loss of rents on lands not cultivated by reason of overflow.....	100,000
Damage to 200 miles of fence.....	6,000
Business losses.....	100,000
Damage to growing cotton crops.....	1,500,000
Damage to other growing crops.....	50,000
Damage to private roads and bridges.....	2,500
Damage to school buildings and equipment.....	10,500

Total property damage..... 2,579,000

RECAPITULATION FOR ENTIRE STATE

A recapitulation of the above figures for the entire State of Mississippi follows:

Crop losses—800,000 acres of crop land flooded:	
Baled cotton damaged.....	\$2,549,450
Loss on average crop expected (2 counties).....	14,228,024
Loss of rents on lands not cultivated by reason of overflow.....	2,721,100
Damage to growing cotton crop (9 counties).....	2,783,000
Damage to other growing crops (11 counties).....	695,500
Damage to matured crops.....	14,500
Damage to seed.....	126,255
	\$23,117,829
Cost of replanting.....	1,654,950
Losses of livestock:	
3,368 horses and mules.....	\$345,050
6,489 cattle.....	224,475
31,600 hogs.....	314,000
500 sheep and goats.....	8,250
233,000 poultry.....	144,775
	1,031,550
Property damage:	
2,726 houses destroyed.....	993,200
22,940 houses damaged.....	\$3,764,500
2,725 houses, stores, and gins destroyed and damaged (Issaquena County).....	550,000
Houses, stores, gins, barns, and other buildings destroyed and damaged (no number given, Humphreys County).....	780,715
	5,078,215
52 stores destroyed.....	35,000
877 stores damaged.....	252,300
8 gins destroyed.....	35,000
109 gins damaged.....	88,250
235 barns destroyed.....	133,000
1,509 barns damaged.....	219,725
Barns destroyed and damaged (Issaquena County, no number given).....	60,000
	749,200
7,911 other buildings destroyed.....	279,725
26,056 other buildings damaged.....	757,425
Other buildings destroyed and damaged (Issaquena County, no number given).....	70,000
	827,425
Damage to merchandise.....	659,000
Damage to oil mills.....	520,000
Damage to farm implements.....	574,500
Damage to automobiles.....	857,000
Damage to feed.....	824,550
Damage to household goods.....	1,364,400
Damage to land by washing and spreading of obnoxious grasses.....	1,682,500
Damage to fences.....	105,000
(8 counties report 640 miles damaged.)	
(13 counties report without giving number of miles.)	
Damage to private roads and bridges.....	123,200
Damage to private ditches and drains.....	61,500
	15,238,965
Business losses.....	\$3,220,000
Hardwood lumber industry, 42 mills affected.....	1,165,000
Damage to school buildings and equipment.....	103,000
Damage to highways and bridges.....	400,000
	45,931,294

THIS IS THE TIME FOR ACTION

Mr. Chairman and Members of the Seventieth Congress, this is the time for action. Upon this session of the Seventieth

Congress devolves the duty of flood-control legislation that will keep the honor of this Nation as sacred and inviolate as it has been kept since the day of its birth, in every national emergency it has faced, whether at home or abroad.

We know that statutory law can not override a law of nature. But from a study of the laws of nature we know that the proper statutory law can be enacted by this Congress to curb the restless, dangerous spirit of the Mississippi in time of flood.

A law authorizing full governmental responsibility and direction, coupled with an appropriation generous enough to put this responsibility into action, will give to the people of the United States the protection of their lives, property, and general welfare that the Constitution guarantees.

A repetition of the 1927 flood is not impossible, even so soon as next year. There is no time to be lost. The burden of action must not be shifted to another session of this Congress. We must, before we adjourn this session, keep faith with our people and our Constitution.

Let every Member of this body who has a head to think and a heart to feel enlist in this great movement to save and preserve, not only the property, but the lives of our fellow citizens.

The prayer and the hope of the people of the Mississippi Valley is that the high mark of 1927 will never be passed; but unless this mammoth problem is given immediate financial and engineering attention, the threat of an even greater disaster than that of 1927 lies like a shadow across the valley. [Applause.]

Mr. SIMMONS. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman, on the 1st of February, 1924, I introduced a bill to amend the Judicial Code which would have taken from the United States district courts jurisdiction, in the first instance, to set aside an order or regulation imposed upon a public-utility corporation by a State commission. I introduced that bill in the Sixty-ninth Congress and also in this Congress on the 5th of December, 1927. It is H. R. 95. Originally a similar bill had been introduced by the distinguished gentleman from New Jersey [Mr. BACHARACH].

My bill reads as follows:

Be it enacted, etc., That no district or circuit court of the United States or judge thereof shall have jurisdiction to entertain any bill of complaint to suspend or restrain the enforcement, operation, or execution of any order made by an administrative board or commission in any State, acting under and pursuant to the statutes of such State, where such order was made after hearing upon notice, nor to entertain jurisdiction of any bill of complaint to suspend or restrain the enforcement, operation, or execution of the statute under which such order was made in any case where under the statutes of that State provision is made for a judicial review of such order upon the law and the facts: *Provided,* That nothing herein contained shall limit or affect in any manner the jurisdiction of district and circuit courts of the United States and the judges thereof in matters affecting interstate commerce, nor to prohibit such court or courts or the judges thereof from entertaining any bill of complaint to suspend or restrain the enforcement, operation, or execution of any order made by an administrative board or commission in any State in so far as such order affects interstate commerce.

The purpose of the bill is clear. It simply takes from the United States district court jurisdiction to hear in the first instance cases of public-utility corporations engaged solely in intrastate operations, created by the State in which it operates, subject to the rules and regulations of State commissions or boards, when such corporations seek to avoid obeying an order or rule of a State board or commission. When a public-utility corporation seeks a franchise or enters into a contract with a city to furnish service and agrees on rates and service requirements in order to obtain a franchise, surely it should be expected that it will comply with the terms of the franchise or contract and that should there be any question or difference it would be left to the State courts to decide. The State court is in a better position to understand all of the facts. It is in a better position to understand and know the intent and purpose of the State laws. It is the business of the State court to pass on these questions. Yet the custom has grown for public-utility companies seeking to avoid solemn obligations contained in franchises or contracts voluntarily entered into by them to get away from their own courts, where the facts are known and often where the character and habits of the individuals operating public-utility companies are known, and to resort to a Federal court and there so confuse the issues that the real original issue is lost and, by avoiding the State courts, often obtain advantages utterly unfair to the public and often obtain the authority to disregard rules and terms ordered by the duly

authorized State board or commission having sole jurisdiction over public-utility corporations. Not only in New York has this practice developed but in many of the large cities throughout the United States. The mere fact that this practice has grown to such an extent justifies Congress giving the subject some consideration.

At this very moment in New York City we have just such a situation. As everyone knows, we have extensive subway lines, elevated lines furnishing rapid-transit facilities to the 6,000,000 people of New York. Some of the old surface lines are operating under franchises giving them the exclusive rights to furnish transportation on certain streets. The subway lines are operating under a contract entered into between the operating companies and the city of New York. They now seek to avoid certain terms which they solemnly agreed to and are running to the Federal courts to be protected in their attempt to avoid an obligation and in their plans to disregard the order of our transit commission, which corresponds to the public-utility commission in some of our States.

This is not the first time that New York City has been defeated of its rights by a public-service corporation. Imagine a city of 6,000,000 population entering into an agreement with an operating company, seeking to protect its citizens, making every safeguard possible, maintaining State courts, to find itself deprived of every safeguard that it took, to find itself instead of being the master of the situation in the protection of its 6,000,000 people—I say, to find itself at the mercy of these powerful corporations, who somehow manage to get the Federal courts to stand back of them. New York City had the experience with the gas company case. In that instance the legislature, in accordance with the franchises given to the gas company, fixed the price of gas. The rate was a fair and reasonable rate and was fixed after a great deal of investigation and study. No sooner was the law put into effect than the gas companies ran to the Federal court and got a temporary injunction restraining every State, county, and city official from enforcing the law of the State. The result of that case has done more to make people lose confidence in the Federal court than anything that has happened in a long time. The method of procedure, the partiality, the indifference to the rights of the people of New York, and the clumsy, apparent action of the court and master will be remembered as a miscarriage of justice for many years to come. The court appointed a master in that case. The master happened to have been a very close associate of the judge at one time. The master handed down a decision in favor of the gas company. Oh, yes; it will be said the case went on appeal and was affirmed. That is true. What appellate court can closely examine tens of thousands of pages of testimony? What appellate court can scrutinize volumes—literally volumes of expert testimony and volumes of accountants' reports? Of course, the issues were so confused, the testimony so voluminous, that the appellate courts naturally had only questions of law to pass upon and could not have reviewed such a bulky case that the master took almost a year to hear. Every Member of this House will remember that only a few days ago the Supreme Court of the United States ordered the master to make restitution of part of the excessive fee paid to him by the gas companies. When the matter of the fees came up the city of New York protested that the fees paid to the master were exorbitant and out of all proportion to any known standard for services of the kind; the gas companies and the master replied that it was none of the city's business that they paid the fee to the master willingly and were very happy to pay such a good master such good fees. What a misnomer the word master was in that case. Of course, the gas companies were willing to pay. Why should not they be? Do you wonder, gentlemen, that some of us are stirred to protest, and that we become indignant when we witness—not only witness but are the victims of such flagrant misuse of the Federal courts?

To get back to the case now in the Federal court, the traction companies entered into a contract with the city of New York to furnish rapid-transit service. The city of New York, in consideration of the service to be rendered, built the subways. The subways of New York are property of the city of New York. The city of New York has invested in subway construction over \$400,000,000. Among other things, the traction companies agreed to furnish service for a 5-cent fare. No longer was the ink dry on the contract, after several ups and downs of the stock of the companies, each up and down resulting in huge hauls for the gamblers and stock manipulators who control the companies and who seemingly know more about the stock ticker than they do about operating trains, demands were made for increased fare. It is well to point out that just about the

time the so-called dual contracts were entered into by the city of New York there was quite a movement in the United States for municipal-operated transit service. In fact, some of the Ohio cities had been so successful that fares had been reduced down to 3 cents. The New York traction companies, sensing that the reduction of fares below 5 cents might become contagious, not only insisted in putting in the 5-cent fare, but made the 5-cent-fare provision as definite, binding, and unalterable as all the legal talent that the traction company could muster could make it.

Even during my time down at city hall as president of the board of aldermen these traction companies made an attempt to increase the fare then. I sat at the hearings through many weeks. I had the opportunity to study and learn the entire history and background of these companies. I got their figures, methods of operation, and learned of their past and present mistakes. Naturally their application before the board of estimate and apportionment was denied. They then went to the State legislature and sought to have a made-to-order law enacted which would provide the means for an increased fare. I was still at city hall and I opposed that law with all the force and strength that was in me. It was the most brazen attempt on the part of a governor to give absolute power to a traction company, ignoring the rights of the city and 6,000,000 people, that was ever attempted by any executive. This same governor is now one of the chief lawyers for one of the traction companies. The protest of the public was so strong that soon the law was modified and even this effort failed. Omitting many of the intervening incidents and attempts of the traction companies to get an increased fare, we come to the last desperate effort, which brings us to the necessity for the serious consideration of my bill. A few weeks ago the traction companies served notice that on a certain day in March the fare would be 7 cents instead of 5 cents. That their plans were well made in advance, that they knew just where they could get an order for temporary injunction seems very likely, for the traction companies have announced that they have already purchased the coin turnstiles to receive the additional fares.

This notice came in the midst of hearings being held before our transit commission, and, as I said, were apparently made in the course of a well-prepared plan of action. While the transit commission was seeking to prevent any increased fare, while it had ordered the traction companies to continue service in accordance with the terms of the contract and the law, while the city officials were preparing papers to enjoin in the State courts the companies from disregarding their obligations and the law, lo and behold, an order is obtained from a Federal judge, signed at his home, based on several pages of affidavits, all of which were printed and not typewritten, and this order enjoins and restrains not only the transit commission from interfering, but also the courts of the State of New York. True, it was an order to show cause only. But it was an order to show cause which contained the injunctions I have described. At this very moment the State and municipal authorities are stayed from taking any action to protect their rights. The order now comes up for consideration. The judge who has it in his hands now has in his keeping the restoration of confidence in the Federal court. He can, by denying the injunction the traction companies seek, uphold the dignity of the Federal court and win the respect for it of millions and millions of country-loving, law-abiding, decent American men and women. If any constitutional rights of these traction companies are invaded by the State transit commission or even by the State courts, then, but then only, can the traction companies resort to the highest court in the land, the United States Supreme Court. The traction companies created by the laws of the State of New York, doing business only in the State of New York, receiving its charter and franchise from the State of New York, having a contract with the city of New York, all within the State of New York, must abide by the law of the State of New York as construed and interpreted by the courts of that State. If the courts of the State err or mistake, and through their mistake and error deprive the companies of any constitutional right the traction companies are by no means without remedy, for, as I have said, they then have recourse to the Supreme Court of the United States. It was never intended that the United States district court should be the court of first instance in such a case. The sum and substance of the application of the traction companies proceeding in the Federal court is to obtain an increased fare, a matter entirely under the jurisdiction of the State courts, and the parties to the contract both citizens of the State of New York. It involves no other question, yet the reading of the papers and the argument for an injunction leaves the fare question bound in a maze of techni-

calities surrounding the subject of Federal and State jurisdiction. That is just what the traction companies are seeking to do. It wants to get away from the real facts, it wants to get away from the merits of the case, it wants to confuse the issues, it wants to create the question of jurisdiction, and who knows perhaps they too can succeed in avoiding obedience to State law and fulfillment of the terms of their own contract.

This question of fare increase is far more important to the people of the city of New York than most people of the country can imagine. The mere 2 cents difference means a great deal to the working people of the city of New York and it also means literally millions of dollars of profits not only for the traction company, but for those individuals surrounding the traction companies who are on the "inside." Recent hearings by the transit commission has developed that the ownership of large blocks of the stock are in the hands of various groups of men not at all interested in rapid transit for the people of New York, but interested in rapid movement of the stock ticker for themselves. It can readily be seen that the increase in fare for the companies carrying several million passengers a day means several million dollars a year out of the pockets of the working men and women of New York City and into the treasury of the traction companies. It means that the issuance of an injunction by a Federal court restraining the State courts from acting, enjoining the State commission from protecting the people of the city of New York, will give such an impetus, such a push to the stock ticker as to shoot the quotation of this watered stock sky high. Then the big haul. Again the public will come in and buy and the present manipulators of this stock will dump and, without exaggeration, a hundred million dollars will be scooped in. In the meantime the people of New York City are being crowded in cars to such an unwholesome extent that the Department of Agriculture would not permit cattle or hogs to be shipped. Gentlemen, we have cause to protest, we have reasons to become indignant, we have a right to ask for legislation to prevent the misuse and the abuse of Federal courts at the expense of millions of innocent men and women.

Litigation had already been instituted in the State courts, but the representatives of the traction company sneaked to the home of a Federal judge and obtained a temporary injunction. The misuse of Federal courts to avoid obligations under contracts, to disregard orders of State commissions, and to disregard the law itself on the part of public-utility companies has grown to such an extent that it has become a national scandal. The courts are being used instead of administering justice as a delousing plant for dirty and unclean public-utility corporations and that means the traction companies of New York. I make this statement at this time to attract the attention of municipal authorities throughout the United States that my bill pending would give them the protection that every community in the United States must have and that pressure should be brought to bear to limit by legislation the power of the Federal courts and to take from it the jurisdiction that is now being used for the purpose of legalizing the exploitation of these greedy corporations.

It was never intended that United States district courts should intervene in the first instance to permit public-utility companies disregarding law or obligations under contracts. The custom now has become so general, the power of traction and other public-utility companies so great, the exploitation of the people so ruthless that Congress must step in and curb this evil.

We do not seek to take from these companies the right to resort to a Federal court or to the Supreme Court on a constitutional question; but when they enter into a contract with a municipality or with a State or a county to obtain a franchise they should first resort to the State courts, and then after exhausting every remedy in the State courts, if a constitutional question is involved, in accordance with the provision of the Constitution, they will then have the right to appeal to the Supreme Court of the United States, but not until then.

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLACK of New York. In this New York situation they have gone so far as to try to prevent the municipality and the State from using the State courts to try out the question.

Mr. LAGUARDIA. Exactly—an unheard-of proceeding. It brings confusion into the matter. It beclouds the entire issue. It puts the Federal court in an extremely difficult and delicate position. That was never intended in the creation of the Judicial Code. I hope that this case in New York, notwith-

standing all that we may have to suffer, will at least serve to bring the matter to the attention of other municipalities, and that Congress will act on these necessary measures. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CASEY. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Chairman, I introduced yesterday H. Res. 121, authorizing and directing the Committee on the Post Office and Post Roads to investigate why an appointment had not been made for the position of rural carrier on rural route No. 3, out of Westville, Adair County, Okla.

Both of the political parties in their platforms state that they are in favor of civil-service reform. Reading from the Republican platform of 1924, I find the following on civil service:

The improvement in the enforcement of the merit system both by legislative enactment and executive action since March 4, 1921, has been marked and effective. By Executive order the appointment of presidential postmasters has been placed on the merit basis, similar to that applying to the classified service. We favor the classification of postmasters in first, second, and third class offices, and the placing of the prohibition-enforcement field clerk within the classified service without necessarily incorporating all the present personnel.

Rural route carriers are presumably in the classified service. When a vacancy occurs and there is no eligible list, an examination is called for. This was what was done when a vacancy occurred on rural route No. 3 out of Westville, Adair County, Okla. An examination was held last summer. A list of eligibles was certified by the Civil Service Commission to the Post Office Department on the 25th day of October last, nearly four months ago.

I have made repeated inquiries of the rural route division of the Fourth Assistant Postmaster General's office time after time, trying to get some expression as to why a carrier had not been appointed. You can get no satisfactory answer. A personal call yields no better result. They simply say that they are making some sort of an investigation.

Now, as a part of my remarks I want to place in the RECORD a very short letter which I have written upon this subject:

HOUSE OF REPRESENTATIVES, U. S.,
Washington, D. C., January 31, 1928.

Hon. H. H. BILLANY,

Fourth Assistant Postmaster General,
Post Office Department, Washington, D. C.

DEAR MR. BILLANY: In reply to your letter of January 28, my information is that a list of eligibles was certified on October 25, 1927. That is now more than three months ago. I hesitate to introduce a resolution upon this subject. However, the patrons there at Westville have brought it to my attention so frequently that I feel constrained to take some action unless an appointment is made in the near future. Of course, if the Post Office Department has any real excuse, that is not indicated in your reply. I think I have a right to insist that a permanent carrier be appointed within a reasonable time from a list of eligibles certified. A full list of three was certified and I think the patrons of the office have a right to have me insist upon some action being taken.

I have hesitated to press the matter until a full opportunity could be had to make the inquiry relative to those whose names appear upon the list. To be absolutely frank with you, it has been indicated to me that an effort has been made to disqualify some one on this list in order that a new list may be certified because of the fact that the name of no Republican appears upon the list. Your reply does not indicate this.

I submit that the Representative of that district is entitled to know why an appointment has not been made.

Sincerely yours,

W. W. HASTINGS.

I have introduced this resolution for an investigation, and it has been referred to the Committee on Rules under the rules of the House. I suppose, of course, that it will there sleep the sleep that knows no waking; but I am determined, Mr. Chairman and Members of the House, that we shall have some sort of an expression from the Post Office Department as to why a rural mail carrier, after a list of eligibles has been certified, is not appointed after four months.

Now, the honest truth about it is that all three of the eligibles happen to be of the opposite political party. They are juggling with the list in the hope that some one on the list can be disqualified and a new list of eligibles called. At present a temporary carrier is appointed by the postmaster, his son; and

he, of course, is of his political faith, and can not hold longer after a permanent appointment is made. That is the real answer to it, and that is the real reason why an appointment has not been made.

I just wanted to take this time of the House to show to the House and to the country that the administration's profession of being in favor of civil service is all bunk.

On April 27, 1926, I took occasion to attempt to expose the hypocrisy of the Post Office Department with reference to the civil service. I stated then that the present administration was the most partisan one I had ever experienced. I quoted extensively from the criticisms of Congressman WURZBACH, of Texas, when he preferred openly the following charge against the Postmaster General and said:

It is a spoils system pure and simple, without one redeeming quality. The ordinary spoilsman buys influence with his own money. Under the system I am attacking influence is bought with public office.

And again he said:

The power and influence of these patronage politicians in Washington is simply amazing and almost incredible. This is true especially with regard to the Postmaster General and his first assistant.

And he might well have added "the rural route division of the office of the Fourth Assistant Postmaster General."

Congressman WILSON of Mississippi, on March 22, 1926, stated—

and yet in my State of Mississippi for months some of the most reputable citizens of that great Commonwealth have charged, without fear of successful contradiction, that post offices in the State were sold in the open market, and that the buying and selling of Federal offices in Mississippi is a common practice.

Again, in the same speech, Congressman WILSON asserted:

And in my State to-day there exists a condition which has no parallel in the history of the Southland since the dark days that followed the Civil War. Not only are Federal positions sold in the open market to the highest bidders but the control of Federal patronage is almost entirely in the hands of the negroes. God save my country from the sad day when negroes are placed in the seats of the mighty and political control passes into their black hands.

Congressman WURZBACH also asserted in the same speech referred to:

It has passed beyond that stage, however, and has grown into a national scandal.

I called attention then to the violations of the civil service law and asserted that the civil service was not enforced in the State of Oklahoma.

The Republican Convention will meet again on June 12 at Kansas City and will reassert that it is in favor of the civil service.

O face, where is thy shame?

Mr. CASEY. Mr. Chairman, I have no further requests for time, and outside of the few general remarks that I shall make with reference to this bill, that will conclude the general debate on our side of the aisle. I yield myself 15 minutes of my remaining time.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 15 minutes.

Mr. CASEY. Mr. Chairman, I desire to say with reference to the bill now before us for consideration and action that the subcommittee of the Appropriations Committee on the fiscal relations of the District of Columbia has devoted a great deal of time to a study of the different items in the bill and the many requests placed before the subcommittee that were not included in the bill. After the very able and intelligent presentation on the fiscal relations between the Federal Government and the District of Columbia by the gentleman from Nebraska [Mr. SIMMONS], the chairman of the subcommittee, I feel that it is unnecessary for me to add anything to what he so well stated the other day.

Speaking generally, I may say that I was agreeably surprised this being my first investigation into District affairs, as a member of the subcommittee, at the able manner in which the affairs of the District were presented to the subcommittee during the hearings by those in charge of District affairs. I agree with the statement made by my colleagues on the committee that the affairs of the District of Columbia are being very ably taken care of. I want to say, however, for the benefit of the few who appeared before our subcommittee who seemed to believe

that by hedging and refusing to give direct information in response to questions propounded by the members of the subcommittee, that they would strengthen their case a great deal if they would change their tactics. Those persons at the head of the several departments of the District government are supposed to be intelligent men who understand the English language, and when they refuse to give a straightforward reply to a straightforward question propounded by the subcommittee they might just as well understand that they are not fooling the subcommittee, but are prejudicing their own case. This applies to only one or two of those appearing.

I may also say for the benefit of the RECORD and for the benefit of the Members of the House that it is said by those who have had longer experience on the subcommittee than I have had that the subcommittee in investigating into the affairs of the District of Columbia this year gave the District officials and the school authorities the widest latitude to present their cases that they have ever had before any subcommittee of the House on the affairs of the District of Columbia. This statement is borne out by the fact that the hearings held this year by the subcommittee exceed by 500 pages the amount of testimony taken by any other subcommittee on District affairs. That indicates, I believe, that the committee wanted to be fair and just to all concerned, and wanted to give every person appearing before the committee unlimited time to explain their case in their own way, so that we might get all the facts bearing on the questions before us in order that we might reach a just decision with reference to their contentions.

I just want to say a word with reference to a few of the items in the bill regarding the salaries of employees of the District of Columbia. Much has been said about this item. Some have intimated that the committee was requested or influenced by certain interested parties to go into this matter and bring in a recommendation on this matter. I think I am safe in saying that there was not an employee of the District or the representative of an employee or any employees' organization that took this matter up with the committee. The committee made investigation into this question themselves. When we came to the item in the bill submitted to us from the Bureau of the Budget it carried only \$37,000 for step-ups, promotions recommended by the Bureau of Efficiency. We inquired into this, and after investigating it very thoroughly we discovered that instead of \$37,000 being sufficient to grant the necessary increases in wages for those recommended for promotion by the Bureau of Efficiency, it took \$340,750 to bring these poorly paid District employees up to the average of their grade. There has always been a differential between the Federal employee's salary and the salary of employees of the District of Columbia doing like work. The subcommittee thought and had a right to believe that with the passage of the reclassification act, which provides for equal pay for equal service, that unfair condition was eliminated. But to our great surprise we discovered that that differential was still in existence. After the committee went into this matter very thoroughly and after it had been referred to the clerks of the committee and after consultation with the chairman of the Committee on Appropriations, the gentleman from Illinois [Mr. MADDEN], it was decided that something should be done with reference to these salaries.

But instead of writing into this bill the amount of \$340,750 which would be necessary under the reclassification act, the subcommittee decided to make a two-year program of it and cut this item in two. So that in the bill now before us half of that amount is carried, and in the next bill, when it appears before the House, it is anticipated that the balance of this amount will be carried in order to bring these poor underpaid employees of the District of Columbia up to a level with the other employees of the Federal Government doing similar work.

May I state further, Mr. Chairman, that the committee impressed upon the chairman of the personnel board, and all of those who will have anything to do with the allocation of the amount of money written into this bill for increases of salary, that none of it is to be allocated to the employees who are now receiving salaries above the average of their grades; that it must all be allocated to those who are at the minimum of their grades in order to bring those people up where they rightfully belong. If there is any question of doubt between two employees that doubt is to be resolved in favor of the person in the lower grade. So it is an honest attempt to try to do the right thing by the people who have been deprived of what they believe and we believe they should have received some time ago.

It is my opinion that this is going to be very beneficial in the administration of the affairs of the District of Columbia. I could cite many illustrations, but will take one for example, the engineering department, of which Captain Whitehurst is the superintendent. He told us, and the record will show, that under the provisions of the reclassification act and upon the recommendations of the Bureau of Efficiency, 72 employees in his department were entitled to promotion because of their efficiency, but under the \$37,000 carried in the bill that came to us from the Bureau of the Budget only 7 employees could be given the necessary promotion. It may have been 7 or 10. I do not recall exactly what the number was.

Mr. SIMMONS. Will the gentleman yield?

Mr. CASEY. Yes.

Mr. SIMMONS. Another marked place is in the sewer department where the amount allowed for step-ups was less than \$600.

Mr. CASEY. You can readily see what effect that kind of a system would have upon the employees. Here are 72 employees who because of their efficiency were recommended for promotion and increases in salary by the Bureau of Efficiency, but because of a lack of funds the head of the department was compelled to pick out 7 of the 72 and grant the 7 increases in salary, while the rest were denied the increases they were rightly entitled to. Of course, that would bring about chaos in any organization and much dissatisfaction among the employees, because they were not getting what rightfully belonged to them. Then the charge of favoritism would be made against the head of the division or department, and that would not be for the best interests of the department.

The chairman of the subcommittee has suggested the amount allocated or provided for the employees of the sewer department. I would like to have the time to go into that situation; but I am not going to detain the committee from getting into a reading of the bill. However, I will briefly state this to the members of the committee: The testimony shows that the sewer department has not had an additional employee for about 20 years, with the result that there are certain parts of the District of Columbia, one subdivision in particular, where there is not a sewer or a water pipe, and in that section there are about 40,000 human beings living under those conditions. There are several wells in that section but most of them have been condemned by the bureau of health because of contamination from the seepage of the outhouses. It is a deplorable situation and it should be rectified at the earliest date possible.

In connection with the sewerage system I may also say that Rock Creek, which runs through beautiful Rock Creek Park, which we all visit at least occasionally, to which we are pleased to take our friends and where thousands and tens of thousands of men, women, and children go on Saturday afternoons and Sunday afternoons during the summer, as disclosed in the hearings, is an open sewer and that the sewage of that section is running through Rock Creek Park. That condition should be discontinued at once. I would like to see this bill carry an additional \$1,000,000 for the installation of a proper sewerage system and the laying of water pipes in those sections where the poorer class of people live, and I would like to see sufficient money included in some bill to correct the condition I just referred to in Rock Creek Park. A condition of this kind should have no place in any community, let alone a community of this kind, the Capital of the Nation. I hope something will be done to correct it.

I may also say that I believe several of the bureaus of the District need reorganization and need it very badly.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CASEY. Mr. Chairman, I yield myself 10 additional minutes. Of course, our committee has not the right, under the rules of the House, to bring in legislation on this bill. The necessary legislation should be placed before the House by the legislative committee of the House. I will take, for illustration, the bureau of plumbing and inspection. They have, I think, the poorest system of plumbing and the poorest system of inspection there is in any city of its size in the country. They have the old and antiquated idea of inspection and tests that were discarded by every up-to-date city or town 50 years ago, but we still continue those old ideas in the District of Columbia. The health of the people of the District should have some consideration.

Then take the electrical bureau. In this bureau they collect a fee for a permit to install electrical wires and apparatus, but they never inspect any of the work done under the authority of those permits unless the owner requests that an inspection be made, with the result that we had on the books of the

electrical bureau at the close of the last fiscal year 6,000 permits that were taken out by every Tom, Dick, and Harry, and no inspections made as the result of the electrical work installed in the buildings. We also have the complaint made that policemen and firemen, while on leave, are doing a great deal of this work without any license, without any experience, without any qualifications, and without any inspections. I am surprised that the fire-insurance rates are not almost prohibitive in the city of Washington under these conditions.

The question was brought up here the other day about 2,000,000 bricks being at the workhouse. It is an admitted fact that the bricks were there and that nobody knew anything about it, except the superintendent of the workhouse, who did not have the money with which to bring the bricks to Washington. He asked for \$25,000, with which to recondition the barges and wharves in order that he might be able to bring those bricks to Washington, but that item was cut out by the Bureau of the Budget. The suggestion was made that arrangements be entered into for the use of the railroad that was recently put in there, but railroad freight rates are 50 per cent higher than transportation by water; the superintendent testified that these barges would more than pay for themselves in one year. So the committee disregarded the action taken by the Bureau of the Budget, and are recommending in this bill \$25,000, or thereabouts, for the reconditioning of the wharves and barges, so that we may get brick from the workhouse to the wharves in Washington, that they may be used in the construction of schools, sewers, and other municipal works.

With reference to the schools, Mr. Chairman, I believe we have a wonderful system of public schools in the District of Columbia. I believe the school authorities are doing the very best they can under the circumstances to give the best kind of education it is possible to give to the children.

I am also satisfied that we are not progressing with our program of construction of elementary school buildings as rapidly as we should. There are probably many reasons for this. I have not been able to determine, but after a check-up of the municipal architect's office and all the way along the line, I have come to the conclusion that there is a little fault here and a little fault there, with the result that all of it put together makes quite an item.

The result has been that the committee has recommended an increase in the force of the municipal architect's office and changed the fee system which we hope will give the municipal architect all the employees and all the machinery and all the leeway he may need to prepare proper plans and specifications for the buildings that are authorized by Congress, so that we will not hereafter be compelled to wait 18 or 20 or 24 months from the time the appropriation is available until we have a school building in which to put the school children. We want more speed. We want more schools. Money lying around and not being used in the erection of schools does not educate children, and what we want is a speeding up of the school-building program. I think this will be the result; at least I hope so.

One of the difficulties in this respect that I want to call to the attention of the committee is this: Under the present system of authorizations for the purchase of sites for school buildings, the language, while not specifying the exact site, states at or near such and such a locality; of course, under the law the District authorities are not permitted to purchase any sites for school or other purposes at a price that exceeds 125 per cent of the assessed valuation. The record shows that in almost every case of condemnation proceedings in the courts for the acquisition of a site for a school building, the jury has rendered a verdict in excess of the 125 per cent, so we get no happiness from that source. Some different system ought to be worked out. We will need to complete our five-year building program of schools in the neighborhood of 50 or 55 additional sites, and it might be well to look into the advisability of arriving at some understanding whereby we could in some way authorize enough money to be appropriated or to be available for the authorities charged with this work, so that they would be in a position to buy, say, 25 of these sites without carrying them in each bill. I do not know whether this can be done or not, but it strikes me as being a very good suggestion. In this way nobody would know who wanted to buy the property, and we might get it a great deal cheaper than when we carry authorizations in the bill saying that a site will be purchased at or near such and such a place. If we buy a site on the outskirts of the city, and we will sooner or later be compelled to do so, we may buy it at a reasonable price and hold it for several years. Property in that section will naturally increase in value, but the property owned by the District for school purposes will also increase in value, and if the site we own is not exactly

the proper location, it will be very easy to trade it for another piece of property of equal value in the same locality. I believe if we can find some solution whereby we can keep the acquisition of sites ahead of the authorized building of schools, this will do more to speed up the building program than anything I know, and the important part of this, aside from the financial arrangement, is the fact that the municipal architect contends he can not draw the plans or specifications for a school building until he knows the location and topography of the site.

He must make his plans and specifications fit the site, and this is what has been holding him back. So, as I have said, there is a little fault here and a little fault there, but I believe the school authorities are doing the very best they can, and I have nothing but praise for those officials. I think they are doing a very good job under a very difficult situation.

Something has been said here about the superintendent of schools. I do not share this criticism of the superintendent of schools. He is a perfect stranger to me. I only know him as I have seen him on the witness stand before our committee. If I have any criticism at all to make of the superintendent of schools it is because he tries to master too many of the details of the school system; matters which I think he should allocate to his subordinates, and devote his time to thinking out the greater and bigger and more important questions with respect to the education of the children of the District of Columbia. I have no criticism to offer against the actions of the superintendent of public schools. I believe in centralized authority, and I also believe in centralized responsibility, but at the same time I believe in decentralized administration.

With reference to the question of the school children on the border line of the District, I simply want to add that we went into this question very thoroughly. We had all the facts and figures before us, but nobody seemed to be able to say whether or not the States of Maryland and Virginia would be able to take care of their school children at the beginning of the next school term. It is said—and with considerable justification—that we are treating them very fairly when we permit those who are now in the public school system of the District of Columbia to continue on through the grades and through the high school, a term of 12 years. Nobody can deny this. What I am interested in, however, is will the States of Virginia and Maryland be prepared to take care of the little tots who become of school age on the 1st of next September? That is the thing I am primarily interested in.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CASEY. I yield myself 10 additional minutes, Mr. Chairman.

This is a rather serious matter. We are talking now of the poorer class of people—the children of the workingmen. The fathers and mothers of these little children are making many sacrifices to give their children a proper education, while very often denying themselves many of the necessities and practically all the luxuries of life, so that they may see their children go through the elementary grades and at least through high school, and for every day we deny these children proper facilities for education we are contributing to the burden of the parents of those children.

If we have these children on half-time school schedules, we are continuing such children in school at least a year longer than they should be there, and we are, therefore, continuing this burden upon the parents of these children and depriving the children of the right of going out into the world and getting the best part of their worldly education—the education of learning how to earn a dollar and appreciate and appreciating its value and what a dollar means.

I have nothing further to say, Mr. Chairman and members of the committee, except to add that there are many men idle in Washington. More so than for many years. There are many men idle throughout the country. It is estimated by those who are supposed to know that there are at least 5,000,000 wage earners now unemployed.

I am afraid that we are making the same mistake that is made almost everywhere else in the country, when a depression appears on the horizon we immediately start to curtail, withdraw money from circulation and reduce the purchasing power of the great mass of the American people, the men and women who earn their bread by the sweat of their brow.

My idea is that instead of withdrawing money from circulation on occasions of this kind, instead of reducing the purchasing power of the great consuming masses of the country, that that is the time we should let loose the flood of money we have tied up and head off if we can the coming depression that is staring us in the face.

I would like to see the Federal Government, acting through the Appropriations Committee, start a building program; let us get into the House the bill for Mississippi flood control, also the Boulder Dam bill, the public building bill, and all other bills calling for appropriations; let us get them all passed by Congress and make the money available so that the representatives of the Government can start constructive work and put these four or five million idle men to work, if we can, and then the wheels of industry will begin to turn, the manufacturers will thrive, and we will all have the prosperity that the country is entitled to. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. SIMMONS. Mr. Chairman, I have no further requests for time on this side.

The CHAIRMAN. General debate is closed, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1929, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal year) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition, \$9,000,000 is appropriated, out of any money in the Treasury not otherwise appropriated, to be advanced July 1, 1928, and all the remainder out of the combined revenues of the District of Columbia and such advances from the Federal Treasury as are authorized in the District of Columbia appropriation act for the fiscal year 1923, namely:

Mr. ZIHLMAN. Mr. Chairman, I move to strike out the figures \$9,000,000 on page 2, line 6, and substitute \$10,000,000 in lieu thereof.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. ZIHLMAN: Page 2, line 6, strike out the figures "\$9,000,000" and insert in lieu thereof "\$10,000,000."

Mr. CRAMTON. Will the gentleman permit me to offer a substitute so that he may discuss the amendment and the substitute at the same time? I will say for the information of the gentleman that I would like to offer a substitute to strike out the \$9,000,000 and insert \$7,000,000, and the gentleman can discuss both propositions.

Mr. ZIHLMAN. I will be glad to do that, because I offer this amendment for the purpose of giving me an opportunity to express my views, which are contrary to some of the views set forth by the distinguished gentleman, the chairman of the subcommittee, the gentleman from Nebraska. I want to make clear that this sum which the Appropriations Committee contend is a fair contribution from the Federal Government to the expenses of the District of Columbia is not the result of a developed study or research on the part of Congress, or the committees thereof, but, I understand, was fixed upon by the distinguished gentleman from Michigan [Mr. CRAMTON], who was chairman of the subcommittee some years ago. It has been adopted by the Appropriations Committee as their idea of a fair contribution.

Mr. MADDEN. Will the gentleman yield?

Mr. ZIHLMAN. I will.

Mr. MADDEN. There is only one objection to the gentleman's figures, and that is it has been found by thorough investigation to be too generous.

Mr. ZIHLMAN. In answer to the statement made by the distinguished chairman of the Appropriations Committee, I will say that the last investigation was made by a joint committee of the House and Senate in 1912, and after seriously considering the entire matter recommended that the fiscal relationship which existed since 1878 be continued.

The distinguished gentleman from Nebraska in justifying the contribution of the Federal Government gives as a reason therefor that if the present substantive law was continued, if the contribution of the Federal Government was 40 per cent and the contribution of the District was 60 per cent, then the tax rate that is now \$1.70 could be lowered to \$1.25.

Mr. MADDEN. One dollar and 20 cents.

Mr. ZIHLMAN. I accept the correction.

Mr. SIMMONS. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. If the gentleman will give me two or three more minutes I shall be glad to yield.

Mr. SIMMONS. That rate will raise half a million dollars more than will be needed by the District under this bill.

Mr. ZIHLMAN. Mr. Chairman, I am surprised at a statement like that being made on this floor by a gentleman who has given conscientious study to the needs of the District for a number of weeks, and, perhaps, months. If the theory advanced by the gentleman from Nebraska [Mr. SIMMONS] is correct, then the District is complete—we have all of the sewer mains that we will need, we have all of the water mains that we will ever need, we have all of the schools; it is a finished job, because, forsooth, if you raise the contribution of the Federal Government you would ipso facto lower the tax rate!

Mr. SIMMONS. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. As the gentleman knows, I have not asked for any time. I have only five minutes in which to discuss this matter. If the gentleman will give me five more minutes, I shall be glad to yield. I want to call the attention of the House to the uncompleted improvements and other necessary needs of the District which could be taken care of if the Federal contribution were increased. The gentleman from Pennsylvania [Mr. CASEY] a few moments ago called attention to the need of schools in the District of Columbia, that we were behind in our five-year building program.

Mr. MADDEN. And he would not have to do that if Maryland would educate its own children in its own schools.

Mr. ZIHLMAN. I shall discuss that under the heading of schools.

He called attention to the crowded condition of District schools, so that there is room there for the expenditure of additional money.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. CASEY. Mr. Chairman, I ask unanimous consent that the gentleman may have five additional minutes. I want to ask him a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. CASEY. As I understand the gentleman, he is predicating his position on the \$9,000,000 contribution on the ground that it has not had exhaustive study, and that therefore we do not know whether it is correct or not.

Mr. ZIHLMAN. I am not basing it on that. I am basing it on the fact that I do not think it is an equitable contribution on the part of the Federal Government under the system of government that obtains here as to the budget of expenditures in the District of Columbia.

Mr. CASEY. Will the gentleman give the committee the benefit of his wisdom and tell us how \$10,000,000 is a just and equitable amount?

Mr. ZIHLMAN. I advanced that sum in the hope that it would be given consideration at this time and in order to give myself an opportunity of presenting a few humble views on this subject.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. MADDEN. Does the gentleman object to the \$9,000,000 because he thinks it is too much?

Mr. ZIHLMAN. No; because I think it is too small.

Mr. MADDEN. We can make it a little less, if the gentleman would like it.

Mr. ZIHLMAN. I say to the gentlemen who are members of this committee that the program of public improvement in the District of Columbia is not complete, that it is far from complete. I say to the distinguished chairman of the subcommittee and to the distinguished chairman of the committee that there are 3,431 outhouses in the District of Columbia that have not sewer connections that they can connect with, and I also say that this number, instead of decreasing, has increased more than 600 during the past five years. I also say to the gentleman that there are miles of streets in the District of Columbia that have no water mains, no water supply available, no sewer connections for the outhouses, and that the people who live in those districts and are without these improvements are the most helpless class of people in the District of Columbia and most in need of your consideration of their wants.

Mr. SIMMONS. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. And I say to the gentleman further that there should be spent on sewer connections alone, in order to wipe out this condition, more than a million dollars.

Mr. SIMMONS. I think I can correct the gentleman's figures there. The engineers have figured that it will take \$4,000,000 to put water and sewers throughout the District.

Mr. ZIHLMAN. I said more than a million dollars.

Mr. SIMMONS. Will the gentleman insert in his remarks a statement showing how many outhouses and other insanitary conditions along the District line exist in the gentleman's district that need correction, and that the State of Maryland ought to take care of?

Mr. ZIHLMAN. I have not those figures as to the number, but Maryland has been making splendid progress in furnishing sewer connections to people in that section, and Maryland has been making splendid progress in her school-building program in an endeavor to keep up with the increase in population on the edges of the District.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. MADDEN. Why, it is not more than a few days since the suggestion was made by one of the members of this subcommittee to some of the educators of Maryland that we would be very glad to send them some of these portable schools, but these educators did not want them, because they have not any teachers to supply them with.

They were objecting to having their own children educated in those schools in the District of Columbia, but they had not any teachers they could employ to use them in Maryland if we should send the schools there, though it was stated that they would like a few of these portable schools in order to send to some parts of Maryland where they have a teacher occasionally, and they would use them rather than build schools for themselves.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. I have only a moment.

Mr. BLANTON. Oh, the gentleman can always get time. The gentleman's part of Maryland will never take over any of these portable schools from the District, because the people there send their children to the very best million-dollar schools that we have in this District, and the gentleman from Maryland has seen to that always. What do they want with portable schools?

Mr. MADDEN. I should say the gentleman from Maryland is clever, and he would be cleverer still if he would report from his legislative committee some legislation about the sewers, the absence of which he complains.

Mr. BLANTON. The gentleman from Maryland and his Maryland constituents have had sewer connection and water connection and light connection and school connection and every other kind of connection here in Washington that can be thought of. [Laughter.]

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. CASEY. Mr. Chairman, I ask unanimous consent that the gentleman have five additional minutes.

The CHAIRMAN. Without objection, the gentleman from Maryland is recognized for five additional minutes.

Mr. ZIHLMAN. The Committee on Appropriations has insisted on injecting at this time the question of schools. The statement was made by the distinguished gentleman from Nebraska that it was done because the chairman of the committee dealing with District matters has given no consideration to that subject and that I had prevented the consideration of the bill dealing with that question. I referred the bill introduced by the gentleman from Michigan [Mr. CRAMTON] to a subcommittee, of which the gentleman from Illinois [Mr. REID] was chairman, and that committee gave careful consideration to the subject matter of the bill and decided that this was an unnecessary hardship to impose on Federal employees, Army and Navy officers, and others who had moved across the line from the District of Columbia into Maryland and Virginia, and unanimously, to the best of my recollection, the committee reported unfavorably upon that bill.

Not only that, but the subject of schools and the attendance of children who live over the imaginary boundary line between the District of Columbia and Maryland was thoroughly considered by this House last year, and by a most decisive vote the House concluded to continue to allow children from the neighboring States who did not crowd the District schools the privilege of attending the District schools. It has been shown time and time again that under the rules adopted by the School Board of the District of Columbia a child from a neighboring State can not enter a District school if by so doing it deprives the child of a citizen of the District of Columbia of the right of attendance, and there has not been a week during the past several months that I have not been importuned by the fathers and mothers of children living across the line in Maryland, whose children have been forced out of the District schools because they were crowded and the preference was

given to the District children, although the House had decisively settled that question.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. CRAMTON. The House has never had a chance to pass upon this question as a complete entity. It has only had before it such fractions of it as could be brought in as a limitation on an appropriation bill.

The gentleman refers to this "imaginary boundary line" between his district and the District of Columbia. It is a very real line, is it not, when there comes a conflict between the interests of his constituents and those of the taxpayers of the District of Columbia? It is a real line then, in the judgment of the gentleman, is it not?

Mr. ZIHLMAN. Well, it is a real line, so far as geographical division is concerned, but it is an invisible line otherwise.

Mr. MADDEN. Did the gentleman say it was a Rhine line? [Laughter.]

Mr. ZIHLMAN. No. Evidently the gentleman refers to a Volstead Act matter. [Laughter.]

Mr. MADDEN. Where allied troops are required to stop the use by outside children of these fine eight-room schools in the District which should have been occupied by the children of the District.

Mr. SIMMONS. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. SIMMONS. The gentleman referred to the fact that parents of children living outside the District complained at being required to take their children out of the District schools?

Mr. ZIHLMAN. Yes.

Mr. SIMMONS. Of course, those parents pay nothing for the education of their children in the District schools. Many people have been requested to take the children out of the border schools where we needed those exclusively for the children whose parents pay for them.

Those people, as I understand, are asked to come into the District schools that are not crowded. I am told by the superintendent of schools that practically in every instance the constituents of the gentleman from Maryland say Congress has given them the right to go to any school they want, and they will have their children go to the Chevy Chase School or Takoma Park, D. C. School, or anywhere else in the District that your Maryland folks want, no matter who is crowded out. That is to say, they are willing to have the District children crowded out and insist on their being allowed to educate their children here in the District wherever they want.

Mr. ZIHLMAN. What I wanted to do principally was to discuss the fiscal relationship between the District of Columbia and the Federal Government. I want to point out certain things that the committee has overlooked, and the fact that it has given attention to certain things over which they have no authority under the law, matters that should come before the legislative committee.

The CHAIRMAN. The time of the gentleman from Maryland has again expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MADDEN. If the Committee on Appropriations had overlooked those things to which the gentleman has referred, the gentleman would then complain that the committee had interfered with matters coming under the jurisdiction of his own committee.

Mr. ZIHLMAN. I say these are matters that could be dealt with without increasing the tax rate.

Now, I want to call the gentleman's attention to another very serious menace in the District of Columbia; namely, the open sewer known as the northeast boundary sewer. It empties into an open lake in the vicinity of the Eastern High School, which is one of the really splendid school buildings in the District of Columbia; and it has been suggested by the War Department that the District Commissioners remedy this condition, which is unsanitary and unhealthful. The District Commissioners have recommended, or at least have advised and suggested, that the present northeast boundary sewer be continued to be drained into the Anacostia River, and estimate for an expenditure of \$1,200,000 for the completion of this highly desirable project in the District of Columbia.

Mr. SIMMONS. I do not understand exactly what the gentleman means by the "northeast boundary sewer."

Mr. ZIHLMAN. This is the sewer which is called the largest sewer in the world.

Mr. SIMMONS. You mean the boundary sewer which is intended to take up the Maryland sewage.

Mr. ZIHLMAN. No. I refer to the sewer extending west to Fourteenth Street and north to Park Road and Rock Creek Church Road and south to Florida Avenue. In time of storm it discharges at Twenty-second and A Streets NE.

Mr. CASEY. Every dollar recommended by the Bureau of the Budget has been recommended by the committee for sewers carried in this bill.

Mr. ZIHLMAN. I will answer that by saying let us not be deceived as to the actual conditions that exist. I compliment the committee on its generosity in carrying most of the items that come from the Budget, and in having the courage to increase many items, so far as respecting the grossly underpaid employees of the District. I commend the committee for that. But let us not be deceived. Who wrote 90 per cent of this bill? The Bureau of the Budget. I should say 95 per cent of it. Who wrote it? General Lord? No; not General Lord. One of his subordinates. He fixes the maximum amount, and when the commissioners send it to the Bureau of the Budget they send it back and say, "Cut it \$3,000,000, cut it \$6,000,000, keep it down," and this bill, which has been so highly commended upon this floor, is 95 per cent written by a subordinate of General Lord in the Bureau of the Budget. So let us not be deceived as to that.

Mr. SIMMONS. Will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. SIMMONS. We had before us Major Gordon, of the sewer department, and we gave him complete leeway to tell the committee anything he wanted that was not included in the bill.

Mr. ZIHLMAN. Well, I will go off of the subject of the sewers.

Mr. SIMMONS. No; let us stay with it, because the gentleman has made a statement I do not think is justified.

Mr. ZIHLMAN. I made the statement that the sewer I referred to is being discharged in the near vicinity of the Eastern High School and into a sluggish stream. The War Department requested that a study be made of it, and the District Commissioners have recommended to some one that it be continued to the Anacostia River. When the gentleman from Nebraska said it was a Maryland scheme I described the area of it and showed that it was not a Maryland proposition at all. However, I did not bring it forward for that reason.

Mr. SIMMONS. I do not want the House to understand that we are not giving to the District what we were asked for.

Mr. ZIHLMAN. I do not say you have not. You have given for sewers and you have given for new paving, but for some unknown reason you have cut the item for street repairs, one of the most necessary things in the District of Columbia. I do not think there is a Member on this floor who does not know that the streets of the District of Columbia badly need resurfacing, yet the item for repairing the streets has been cut. It seems to me it would have been much better to have cut some other item and increase the appropriation for resurfacing the streets. But that has not been done. The appropriation has been cut for resurfacing, for gutters, and for putting in shoulders on all roads.

In order that the committee and the House may have the benefit of the estimated total of the necessary and also the desirable improvements in the District of Columbia, I am inserting herewith as a part of my remarks, a list of contemplated improvements and new projects covering an estimated program of five years.

This list was furnished me by the secretary of the board of trade and represents the board's views as to the improvements which will be necessary to consider during that period.

From this list it is ascertainable that if Washington is to be made the city beautiful that the President has recommended and about which Congress has often talked, it would be unfair to put this stupendous burden upon the backs of the taxpayers of the District, and that expenditures in the future should be on a proratio basis.

Among those listed as necessary improvements is the question of an airport, which it is estimated will cost \$1,500,000. This, it is proposed, should be built in Virginia, and to my mind, the Federal Government should contribute in planning and constructing here an airport comparable with those that are available in Paris, Belgium, and other capital cities.

LIST OF NECESSARY IMPROVEMENTS FOR THE DISTRICT OF COLUMBIA,
INCORPORATED IN AN EXPENDITURE PROGRAM FOR COMPLETION WITHIN A
PERIOD OF FIVE YEARS

Airport.....\$1,500,000

Under the recent legislation by Congress affecting commerce by air, the Federal Government provides emergency landing fields and lights the airways. The municipalities are required to furnish the landing fields. It is therefore essential that the city of Washington provide an adequate, safe, and convenient airport for the use of the air mail, the air commerce, and of the civilian air activities of the Federal Government. Unusual unanimity among the persons and organizations interested has been obtained on the location of the site and the kind of airport to be obtained. The figure given of \$1,500,000 is believed to be an outside figure, and excludes savings which may be expected by the dumping of dredge material from the Potomac River and the dumping of ashes and other refuse from the city of Washington if and when the street-cleaning department is furnished with the necessary trucks, etc., and—if it is felt advisable when the time comes—by the erection of buildings on the field by private parties interested instead of by the municipal government. This project should by all means be started immediately. The sea wall should be built, right-of-way obtained to the field, and roads constructed. After this is done, within the next year or so, the speed of construction of the final airport can be gauged according to the rapidity of the development of aerial commerce.

Farmers' produce market.....\$600,000-\$1,000,000

Public Act 776, Sixty-ninth Congress, second session, authorized and directed the Commissioners of the District of Columbia to negotiate for the acquirement of a site for the farmers' produce market, at a cost not to exceed \$600,000 and to report to Congress with their recommendations not later than December 15, 1927. It is generally admitted that it is advisable for a municipality to provide facilities for a farmers produce market and that is a good investment for the city provided the total cost is held down to a reasonable sum. The present farmers produce market is to be eliminated in the immediate future by the new building program of the Federal Government. The new facilities should therefore be provided without delay. The amount needed, \$600,000 to \$1,000,000, would depend upon final location.

Extension of northeast boundary trunk sewer, from 21st and A Streets NE. to Anacostia River just south of south lock of Lake Kingman.....\$1,212,000

The northeast boundary sewer, one of the largest sewers in the world, and carrying the combined drainage from an enormous area, extending west to Fourteenth Street NW., north to Park Road and Rock Creek Church Road, and south to Florida Avenue, discharging in times of storm at Twenty-second and A Streets NE. The discharge from this sewer is carried in a sluggish open channel into the recently created Lake Kingman. In that Lake Kingman, created in connection with the Anacostia River development, is designed to be maintained as a more or less quiescent inland lake, the discharge of even diluted sewage will create a decided nuisance.

To remedy this evil, the commissioners have made studies at the behest of the Secretary of War, resulting in a proposal to extend this northeast boundary sewer to discharge at a point below the outlet of Lake Kingman and directly into the Anacostia River.

Since the original conception of this extension there has been constructed the Eastern High School, at a location in close proximity to the present sewer outlet, and as the result of the location of this large school there have been many complaints as to the insanitary condition existing at the mouth of the sewer.

It has been recognized that the above sewer extension must be undertaken before Lake Kingman or this section of Anacostia Park can function as recreation centers.

Oxon Run intercepting sewer.....\$750,000

The Oxon Run drainage area is an area comprising over 2,000 acres, and located between Nichols Avenue and Alabama Avenue on the west and the Maryland line on the east. This area is largely undeveloped. However, several communities have sprung up in this area where streets are dedicated and houses constructed. Notably among these communities is the larger part of Congress Heights and the recent addition of Hillcrest. There are between 200 and 300 houses in the communities referred to above. Despite repeated applications by individuals and citizens' associations, it has been impracticable to provide sanitary sewers for any of these houses due to the lack of an outlet sewer.

The item submitted herewith is for an outlet sewer for this drainage area, which would be located in the valley of Oxon Run and located approximately parallel and close to the District line. This interceptor would eventually discharge by gravity to the site of the proposed treatment sewage plant, at which point its effluent would receive treatment in common with all other treatment of sewage by the District.

For completing upper Potomac interceptor.....\$425,000

This interceptor in its entirety will extend along the north shore of the Potomac River from Rock Creek to the District line, and is designed to intercept all sanitary drainage from the area sloping toward the river between the limits named. There are now four points in the upper Potomac River where large volumes of raw sewage are now being discharged. The construction of this interceptor will result in removing this pollution to the river and in addition will provide an outlet for future Maryland sewage now discharging into the Potomac River just west of the District line and discharging from Edgemoor, Battery Park, a portion of Chevy Chase, Drummond, Somerset, and Friendship Heights.

A reciprocal agreement has been entered into between the Commissioners of the District of Columbia and the commissioners of the Washington Suburban Sanitary Commission whereby Maryland sewage may discharge through the District sewers upon the payment by Maryland to the District of the estimated cost of handling said sewage.

Fifty per cent of this entire interceptor will have been constructed upon the expenditure of funds already appropriated for this sewer.

For completing upper Anacostia main interceptor along the Anacostia River between Benning Road and the District line.....\$423,000

This interceptor is located to flank the east side of the Anacostia River, and to intercept all sewage which now, or at a later date, would discharge in a crude state into said river, and the construction of this interceptor should be carried on more or less simultaneously with the Anacostia River improvement north of Benning Bridge.

At the present time there are, within the limits of the District, two sanitary sewers discharging raw sewage into the east side of the Anacostia River, north of Benning Road. One of these sewers, in addition to carrying the sewage from approximately 5,000 persons residing in the District, also carries the sewage from an additional population in Maryland residing in Capitol Heights. A further program now being considered by the Maryland authorities proposes to contribute more Maryland sewage from Seat Pleasant, which sewage will also discharge through the existing District sewer.

This interceptor will not only intercept sewage from District sewers, but is designed to be available for all of those communities lying in Maryland close to the District line, viz, Silver Spring, Takoma Park, North Takoma, Mount Rainier, Bladensburg, Hyattsville, Riverdale, College Park, Berwyn, and other smaller communities which now discharge crude sewage into the upper reaches of the Anacostia River, and consequently pollute that portion of the Anacostia which traverses the District.

The Maryland sewage from the communities referred to above may discharge into District sewers by virtue of an agreement entered into between the Commissioners of the District of Columbia and the commissioners of the Washington Suburban Sanitary Commission, under which agreement the Maryland authorities would pay to the District an amount equal to the cost to the District of pumping said Maryland sewage.

There has already been expended on this project of flanking the east side of the Anacostia River a total of \$319,500.

Sewer service for houses where privies exist.....\$4,000,000

There are now being maintained in the District of Columbia 3,431 box privies. The number of such privies are increasing rather than decreasing, as is evidenced by a count which indicates that the number has increased by 682 in the past five years.

To eliminate these privies, which are considered as a source of possible disease, necessitates the coordination of appropriations for grading, for water service, and for sanitary sewers. Sewers, being water carriers, are worthless unless water is available. Water can not be made available until such time as the streets are brought to the established grade, in that it is considered necessary that water mains be laid at a constant depth below the surface.

It is felt that effort should be put forth to introduce sanitary improvements in these sections known as Deanwood, Kenilworth, Burrville, Barry Farm, etc., in which communities the majority of privies exist and which communities are practically without modern improvements.

Site for and construction of incinerators, city refuse division...\$650,000

The maximum working capacity of the trash-disposal plant is about 800 cubic yards per day. In times of heavy rains, etc., this capacity is materially reduced by the inadequacy of the incinerators to burn the wet paper which can not be baled. At such times it is necessary to place the excess on the Congressional Cemetery dump and burn it there.

In addition to this bulk, a considerable amount of the material received at the Congressional Cemetery dump from the various United States Government activities is of a combustible nature and must be burned daily to avoid the possibility of starting a general fire on the dump.

Inside of three years we will have filled all our present dumps, and by such time a start must be made to send all the material collected in

street cleaning and a large proportion of the ashes to some new dumping point. The volume of the street-cleaning material must be reduced by incineration.

There is also a possibility that it may be necessary to forbid the placing of combustible material on the Benning dump owing to the smoke nuisance.

Because of the above conditions, and the constant complaints of various citizens' associations regarding burning materials on dumps, a transfer station, trash-salvaging plant, and incinerators of sufficient capacity should be constructed immediately. It is therefore recommended that \$650,000 be appropriated for the acquisition of a site and construction of the above plant.

Site and buildings for garage, shop, etc., city refuse division— \$150,000

The city refuse division owns and occupies a building in the interior of square 367, covering 12,500 square feet of ground. This was originally used as a stable, but is being converted to use as a garage and shops.

In the very near future the hauling equipment of the department must be entirely motorized. This is mainly due to the scarcity of dumps and the consequent increased length of haul.

The city refuse division has now reached the capacity of the present plant in which are repaired, repainted, and reconstructed all auto trucks used by that division, in addition to the building of all new truck bodies, and it is very necessary to add to the existing building. By the purchase of the balance of the plot the present ground area would be doubled, and the construction of an addition to the building would provide for a garage, shops, and storerooms in an ideal location.

New Chain Bridge— \$366,000

A new bridge is required to provide adequate capacity for traffic and to insure safety for traffic on this bridge, the carrying capacity of which is uncertain due to deterioration resulting from its age, 54 years.

Connecticut Avenue Bridge over Kingle Road— \$500,000

A bridge of greater capacity is required to take the place of the existing structure, due to the heavy traffic over Connecticut Avenue.

New Calvert Street Bridge— \$1,200,000

The replacement of Calvert Street Bridge by a bridge to conform with the treatment of Rock Creek Park is projected to afford increased capacity for traffic.

The roadway of the existing structure is inadequate and the bridge has not sufficient strength for the heavy traffic of the present day.

Twentieth Street Bridge over Piney Branch— \$300,000

A bridge of greater capacity with improved alignment is required to take the place of the existing light iron bridge.

Municipal center, purchase of land— \$9,000,000

Municipal center, buildings— 10,000,000

The act authorizing the acquisition of the triangle south of Pennsylvania Avenue for the erection of various Federal buildings authorizes the taking over by the Federal Government of the District Building and the square to the south of the present building, which was considered available for a much-needed expansion of the District Building. As a new location for the District offices will have to be obtained in order to replace the building and site to be taken over by the Federal Government, and as there are a number of District activities in rented buildings and a number of other District activities which are not now adequately provided for, it is proposed to purchase the area between Pennsylvania Avenue on the south, Louisiana Avenue, D Street, and Indiana Avenue on the north, Seventh Street on the west and Third Street on the east, for the site of the new municipal center.

It is deemed highly desirable that the purchase of this site should be made at one time in order that the part to be improved by the construction of new buildings will not enhance the value of the property not acquired. By purchasing the whole site at one time a material saving can be made over piece-meal purchase. It would not be necessary or desirable to proceed with the construction at a rapid rate, and present plans call for a development of square 490 as the site for a building to house the various courts of the District of Columbia, and it is expected that this would be the first part of the site developed. Provision for the construction of the building should be made at the rate of about \$2,000,000 per year, and when the building on this square is completed the development of square 491, directly south of this square, should be undertaken to provide suitable quarters for the police and fire departments, recorder of deeds office, and some other District activities.

The site can be purchased for about \$9,000,000. The court building will have approximately 8,068,000 cubic feet, at an estimated cost of \$1 per cubic foot, while the building on square 491 will be approximately the same size and same cost.

Opening and extension of streets and avenues— \$4,000,000

The opening and extension of the following streets and avenues is important in that they will provide better traffic conditions in their respective locations; furthermore, land values are increasing, and the

longer these projects are delayed the greater will be the cost of their acquisition. Deductions have already been made to the District of portions of all of these streets.

Nebraska Avenue is the only street on the highway plan in the area west of Rock Creek Park, excepting Western Avenue, which extends directly from the Potomac River to Rock Creek Park. This street is approximately a mile east of Western Avenue, and crosses Massachusetts, Wisconsin, and Connecticut Avenues, and connects up Wesley Heights, Tenleytown, and Chevy Chase.

Foxhall Road: This road connects Wesley Heights and American University with Conduit Road and intersects Conduit Road just west of Georgetown University. A great number of houses were built along this road before the highway plan was established. Many of these houses will have to be moved when the street is widened and, of course, condemnation would be the only procedure. As property values in this section are steadily increasing, it is believed that this street should be condemned as soon as possible.

Potomac Avenue is on the highway plan from Foxhall Road to the District line and runs along the high ground overlooking the Potomac River. This street would make a very attractive riverside drive, and for this reason it is believed that steps should be taken to acquire it for its entire length, before any building operations increase the cost of its acquisition.

Colorado Avenue, Thirteenth and Fourteenth Streets are now in process of condemnation.

Maryland Avenue is now in public ownership from Fifteenth Street and Florida Avenue NE. to the United States Capitol Grounds. The highway plan provides for the extension of this avenue to the Anacostia Park, where it will intersect with Oklahoma Avenue. The opening of this avenue will be of importance in that it will provide a direct connection from the Capitol Grounds to the northern part of the Anacostia Park.

Free Public Library, five-year building and extension program— \$1,696,000

The organic law establishing the public library, as amended, provides that the said library shall consist of a central library and such number of branch libraries so located and so supported as to furnish books and other printed matter and library service convenient to the homes and offices of all residents of the District of Columbia.

The estimate of \$1,696,000 would provide for carrying out the larger items in the five-year building and extension program for the library, in providing for sites and buildings for branch libraries as well as additions to the main library building.

Gallinger Municipal Hospital— \$3,000,000

In order to equip the Gallinger Municipal Hospital as a complete municipal hospital capable of accommodating all the patients that are proper municipal charges and discontinue the practice of boarding such patients in private institutions, it would be necessary to erect two additional ward buildings similar to the one now under construction. It would also be necessary to erect a suitable nurses' home, staff building, laboratory, and accessory buildings at a total cost of approximately \$2,500,000, and an isolation building for the care and treatment of indigent persons suffering from minor contagious diseases, at a cost of approximately \$500,000.

District Training School— \$1,000,000

Additional cottages, school building, dormitory for employees, commissary, and dining-room building, superintendent's residence, and the necessary roads, water and sewer mains, should be provided at the District Training School as soon as possible, because the present demand would undoubtedly fill the school to a number of approximately 600.

Receiving home, division of child welfare— \$150,000

There should be provided as soon as possible a receiving home for the division of child welfare where children could be received when committed by the courts, given medical and mental examinations and such treatment as necessary and afford opportunity for study and classification before these children are sent to permanent boarding homes or institutions. Such a receiving home, properly equipped, would cost approximately \$150,000.

Industrial Home School for white children— \$250,000

The Industrial Home School for white children, now housed in a group of old dilapidated buildings, should be abandoned. If funds are not to be derived from the sale of the present property it would cost probably \$250,000 to provide a proper site and buildings to reestablish the school on a new site.

District of Columbia Jail— \$500,000

The old-cell wings of the jail have been condemned by competent authority as insanitary and unfit for the confinement of prisoners. To reconstruct the north and south wings, which contain these old cells, would cost probably about \$500,000.

Tuberculosis Hospital.....\$150,000

Congestion at the Tuberculosis Hospital requires an early enlargement of that institution. There should be an additional ward building at a cost of approximately \$100,000, and a building to house the medical staff, orderlies, and other employees, many of whom are now obliged to live away from the hospital. This building would cost approximately \$50,000.

Public schools—Five-year building program.....\$11,000,000

The carrying out of the five-year school-building program, as authorized by the act of Congress approved February 26, 1925, is \$3,000,000 in arrears at the present time. In addition, during the two years remaining of the period for carrying out that program, \$8,000,000 will be required.

Elimination of grade crossings.....\$680,000

The grade crossings which should be eliminated to provide safety for traffic are placed in the order of importance, as follows: Michigan Avenue, \$275,000; Chestnut Street (Fern Street), \$164,000; Eastern Avenue (Quarles Street), \$153,000; Bates Road (Varnum Street), \$88,000.

Total of necessary improvements.....\$53,902,000

LIST OF DESIRABLE IMPROVEMENTS FOR THE DISTRICT OF COLUMBIA

Water-front development, Washington Channel.....\$3,691,000

The act of Congress approved March 3, 1925, authorizing the construction, repair, and preservation of certain public works on rivers and harbors, authorized and directed the Secretary of War to cause preliminary examinations and surveys to be made of the water front on the north side of the Washington Channel, D. C., with the view of surveying same and preparing and submitting plans and estimates of cost for the construction of an adequate terminal or terminals which would provide appropriate facilities for water transportation and for interchange of traffic between vessels and the railroads and highways, respectively, including any recommendations which may be deemed advisable for coordinating the full commercial use of said water front and the approaches, with the beautification thereof.

In accordance with the direction of Congress, the District engineer officer (United States Army Corps of Engineers), after most intensive study, has prepared and submitted a report on the improvement of the water front along the Washington Channel.

The item of \$3,691,000 is an estimate by the Commissioners of the District of Columbia of the cost of providing this very desirable improvement.

Pennsylvania Avenue Bridge over Anacostia River.....\$651,000

The construction of a bridge in the line of Pennsylvania Avenue crossing Anacostia River is required to provide capacity for the heavy traffic using that bridge and also to permit dredging of the river as proposed by the Corps of Engineers of the United States Army. The piers supporting the bridge have pile platforms, the piles being cut off at mean low-water level. Provision is also required for traffic on the river by the construction of a draw span at this crossing.

Benning Bridge over Anacostia River.....\$470,000

The construction of a bridge to take the place of Benning Bridge is required for the same reasons outlined in the above statement concerning the Pennsylvania Avenue Bridge.

P Street Bridge over Rock Creek.....\$350,000

The construction of a bridge to take the place of the present P Street Bridge across Rock Creek is required to provide for the Rock Creek Parkway.

Watts Branch Valley storm-water sewer.....\$950,000

Watts Branch Valley extends easterly from the Anacostia River through Deanwood, and this stream drains a large watershed located partly in the District and partly in Maryland. The stream traverses private property through the major part of its length, and is located through a very flat section of the District. Freshet conditions cause this stream to rise out of its banks, inundating large areas of adjacent property.

This valley, with the exception of Rock Creek, is the largest one traversing the District, and to control that portion of the stream which lies within the District would require the construction of over three miles of conduit varying in size from 12 to 15 feet in span.

As to whether this important storm-water conduit should be given open treatment or a closed conduit construction is still a mooted question, and before final decision is reached the National Capital Park and Planning Commission will be requested to study this situation.

Sewage treatment works.....\$2,250,000

At the present time all District sewage is discharged in a more or less crude state directly into the Potomac River, at a point some three miles below Hains Point.

Any impurities such as sewage which are discharged into a body of water become purified by oxidation. In the process of oxidation,

oxygen existing in the water is consumed, and if too much of this oxygen is consumed from the water fish life is destroyed, in that their life depends upon the water-carried oxygen, without which they would suffocate.

The commissioners being cognizant of this fact have visualized for some years that eventually further treatment must be given to the District sewage before same is discharged into the Potomac River, and with this in view they have, within the past few years, acquired a considerable tract of land in the vicinity of Blue Plains as a site for a future sewage treatment plant. This site is located at the extreme southern point of the District, which is the only strategic location to which all the sewage of the District may be discharged by gravity.

Before venturing upon an expenditure of this magnitude, the commissioners propose to make a request of the Public Health Service that they conduct a survey of the lower Potomac to determine what degree of purification the sewage must undergo at this time. Moreover, the commissioners have in mind that before actually making expenditures for these works they would request authority for appointing a commission of well known sanitary engineers to make a detailed study, with report, as to the best type of treatment works to install.

Key Bridge approach.....\$200,000

Certain desirable improvements should be made in the north approach to the new Francis Scott Key Bridge, to the end that the "bottle-neck" situation which now arises under heavy traffic conditions may be eliminated and a more adequate approach to the bridge proper may be provided.

National Zoological Park.....\$1,145,000

This is an estimate of improvements recommended by the Director of the National Zoological Park, and includes provision for the construction of new exhibition buildings for animals and birds, remodeling of and additions to exhibition buildings, open barless pit for polar bears, monkey pit, three stone-arch entrances to the park, and a fence around the park.

Public buildings and public works.....\$4,501,600

This is an estimate of improvements recommended by the Director of Public Buildings and Public Parks of the National Capital, and includes provision for construction of two additional bathing pools, \$900,000; Meridian Hill Park, \$400,000; Rock Creek and Potomac Parkway, roads and bridges, \$2,000,000, and sea wall, \$180,000; repairs to Tidal Basin wall, \$7,500; East Potomac Park, walks, \$13,000, and widening roads, \$65,000; lighting around reflecting pool, Lincoln Memorial, \$6,100; and improvement of the Mall, Second to Fifteenth Streets, \$930,000.

National Capital Park and Planning Commission.....\$15,000,000

To carry out a desirable plan of development of the National Capital during the next five years it is estimated that the above sum will be required by the National Capital Park and Planning Commission.

Total of desirable improvements.....\$29,209,200

Total of necessary improvements.....\$53,902,000

Total.....\$83,111,200

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. When I first came to Congress the tax rate in the District of Columbia was 90 cents on the \$100. That was the total tax the people of the District of Columbia paid.

Mr. ZIHLMAN. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. ZIHLMAN. I will say to the gentleman that the tax rate here has been \$1.50 since 1878, and that was fixed by law.

Mr. BLANTON. I thought the gentleman would say that. It was so arranged as to assessments, allowed by law to be made for only part value, that when you paid the tax it was only 90 cents on the \$100. The assessments were camouflaged and the rate was camouflaged, so that when you paid the tax it was just 90 cents on the \$100, and then we raised it to \$1.10; then to \$1.20; then to \$1.30; then to \$1.40; then to \$1.60; and then to \$1.80. During this past fiscal year it was \$1.80. For this present fiscal year it is \$1.70 on the \$100.

I have been fighting the gentleman from Maryland ever since I have been here on that proposition, he wanting the tax in the District just as low as possible for many of his Maryland people who mostly live here in Washington, and I wanting it commensurate with what was fair to the rest of the people of the United States.

Let me show you how unfair the newspapers are on this subject. Mr. Clayton came before our committee the other day and said the tax rate for this present fiscal year was \$1.80. I said it was not, but that it was \$1.70. They have lowered it for the present fiscal year to \$1.70. The next day a Washington newspaper, the News, said I had contended the tax rate was \$1.40, and that I had made a mistake, when my whole argument to Mr. Clayton was that he was mistaken in saying it was \$1.80, as it had been reduced to \$1.70.

Mr. SIMMONS. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. SIMMONS. The gentleman is not complaining about the accuracy of that, is he? That is fairly accurate.

Mr. BLANTON. Yes; for this newspaper, it is; but I want to keep the record straight as we go along.

Mr. SIMMONS. That is fairly accurate for a Washington paper.

Mr. BLANTON. For the News or Times, yes. The Star is reliable. When the gentleman from Maryland and I began work on this committee together the whole people back home, the taxpayers all over the United States in the 48 States, paid one-half of every bit of the civic expense of the people who live in the District. They paid one-half of the paving of streets and alleys; they paid one-half of their lighting system; they paid one-half of the expense of the police force and of the fire force and equipment; they paid one-half of the salaries of the 2,500 teachers; they paid one-half of the cost of furnishing free school books here; they paid one-half of the cost of erecting our million-dollar school buildings; they paid one-half of the playgrounds and swimming pools; they paid one-half of the cost of running the water system. Of course, the Government owned the original main water conduit, but they paid also one-half of running it. The people of the United States paid one-half of the expense of erecting the municipal buildings here in Washington and municipal salaries and the hospitals and of the million-dollar bridges. The people back home paid one-half of all the civic expense in the District of Columbia. It was unfair to the people of the United States. They had their own taxes to pay and then they had half of the taxes of the people of the District of Columbia to pay in addition. No wonder Washington became a mecca for tax dodgers. I could name you some of the most prominent rich people of the world who came here to establish a nominal residence for tax purposes, and I can take you out and show you their palatial residences which for at least nine months of the year are nailed up and with nobody in them. They are just nominal residences for taxation purposes only.

A few of us here began to rebel against such a situation, and we began to let the people of the United States know the facts, and this knowledge was reflected in a change of the law here, but the main changes we have been able to get were through the Committee on Appropriations, through the help of Brother Cramton and others. We never could get it out of the committee of the gentleman from Maryland [Mr. ZIHLMAN]. He is the chairman of that committee and he has about 15 subcommittees. When he wants to pigeonhole a bill he knows exactly where to refer it, and there is no more chance of getting a bill that he does not want out of his hand-picked subcommittee with a favorable report than there is for a snowball to exist somewhere down below.

Mr. ZIHLMAN. The committee brought out one last week.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLANTON. We are not surprised at our friend coming here and proposing this amendment. He has made a fight on this floor every time we have tried to make Maryland and Virginia children pay their school expenses. He has come in here at the last moment and with his bland, pleasing appearance and the influence he exerts with us, he carries it right at the last moment every time; but we ought not to let him carry it this time. We ought to put a provision in this bill that will mean in no uncertain terms that when the people of the District of Columbia pay their school expenses they pay for their own children and do not pay for FRED ZIHLMAN's constituents over in Maryland and for WALTON MOORE's constituents in Virginia.

Up until this year there were nearly 3,000 children from Maryland and Virginia going to school here in the District of Columbia, getting their tuition free and getting their school-books free, paid for by the people of the District of Columbia and by the taxpayers of the United States, and this year there are over 2,000 of such children. Let Virginia educate her own children and let Maryland educate her children.

Our friend ZIHLMAN's district has been getting hand-outs from this Government every year since back in 1841. [Laughter.] I looked up an old Record of way back in 1841, when there was a big fight made against a tremendous expenditure for the building of a big highway through the gentleman's district.

Mr. ZIHLMAN. That was in 1807.

Mr. BLANTON. Yes; but 1841 was when the main fight was started against it. His district has been getting hand-outs ever since.

Now, what are we going to do about it? Are we going to look after the interests of Brother HERSEY's people in Maine and the people in Connecticut and the people of Ohio and the people of Texas and consider all of their interests, or are we just going to keep on voting on behalf of these two districts in Maryland and in Virginia?

I have no unkind feeling toward the people of Washington. They are among the finest people in the world. I fraternize with them here and I believe I have as many friends among them, in spite of my fights on this tax question, as my friend, the gentleman from Maryland. They are a bully, fine set of people and they will appreciate you when you stand up and do your duty, even though it may hurt them a little bit; but as long as they are paying a tax rate of only \$1.70 on the \$100, they are not hurt.

If you will go right over here to Baltimore, in Maryland, 40 miles from Washington, and find out what the people there pay on a Packard car and what they pay as personal taxes and as real-estate taxes, and then come over here and see the low tax rate on same in the District of Columbia, you will see at once that the people of Baltimore are paying twice what the people of the District of Columbia pay, and it is because of this fight that the gentleman from Maryland makes here every year. Oh, of course, it makes him popular and they talk about drafting him for the Senate. [Laughter.]

Mr. ZIHLMAN. The gentleman has that distinction, not me.

Mr. BLANTON. Oh, they do not have to draft me. [Laughter and applause.] I will say to my friend that whenever I am drafted I respond. [Laughter.] I do not wait and hang back. I am right in the front every time leading on a proposition that I know to be right.

Mr. ZIHLMAN. Does the gentleman go to the finish?

Mr. BLANTON. Yes; I have never failed to go to the finish yet.

Mr. ZIHLMAN. I just wanted to know if the gentleman was going to finish in this fight.

Mr. BLANTON. Yes; I am going to be over yonder in the other end of the building watching this very proposition next year [laughter and applause], and I will be in a position where I can stop you, FRED, when you send this kind of a proposition over there. We sometimes can not do it here under the five-minute rule. Under our procedure here, with 435 Members, you can not stop these things, but you can stop them over there. That is one reason I am willing to make the sacrifice. [Laughter and applause.]

We ought to take care of this proposition by backing up our friend SIMMONS and his splendid committee. We ought to back up Mr. CRAMTON on this proposition. I am too good a prohibitionist to follow him all the way sometimes on some things. He gets a little off on the prohibition question sometimes, and I will not follow him when he goes to voting for the Hawley bill, but he is right on this fiscal system and I am with him.

Mr. CRAMTON. Mr. Chairman, I offer a substitute motion. On page 2, line 6, in lieu of the motion proposed by the gentleman from Maryland, I move to strike out "9,000,000" and insert in lieu thereof "7,000,000," and on that I ask recognition.

The CHAIRMAN. Is the gentleman from Michigan amending the amendment?

Mr. CRAMTON. I am offering a substitute for the amendment.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

Substitute offered by Mr. CRAMTON: Page 2, line 6, strike out "9,000,000" and insert in lieu thereof "7,000,000."

Mr. CRAMTON. Mr. Chairman and gentlemen of the committee, the gentleman from Maryland [Mr. ZIHLMAN] has made an appeal that abandons the proportionate plan which he has heretofore advocated and now urges the lump-sum plan, but that it be increased from \$9,000,000 to \$10,000,000. He has talked about an investigation of the question and a study by a commission, and so forth, but he has laid down in his discussion no basis whatever on which any commission could proceed to determine whether \$9,000,000 was right or \$10,000,000 was right, except this—that the District needs more improvements.

I had thought of making a more or less extended address on the subject and have so stated to several Members of the House, but after hearing the address the other day of the gentleman from Nebraska [Mr. SIMMONS], following the very careful consideration given the question by his able subcommittee, I realize the uselessness of discussing the question at length or attempting to supplement that presentation.

But at this moment it does seem proper that I say something about how the lump-sum plan came to be adopted. The gentleman from Maryland has presented here something about the needs of the District—that he considers urgent for schools, sewers, and water mains—and I assume that he is correct in his statement. I am willing to assume that there does exist now in the District a need for more schools, sewers, and water mains. But what community in the United States does not have such needs? Certainly no growing community. The Treasury of the United States is not to be expected to meet these needs in other cities of the United States, and it ought not to be expected to meet them in the city of Washington, the District of Columbia, further than some basis would justify it. Simply the fact that they need these things is not enough justification to call on the Treasury to supply them.

I will say this: I have been abused regularly, constantly, and consistently by the newspapers of Washington since the adoption of the lump-sum plan came from an amendment that I offered to an appropriation bill. I have been abused constantly, pictured as an enemy of progress in the District, whereas there is no one in this Congress, no one in the District, who is more desirous of seeing Washington a beautiful city and worthy of being the Capital of the country than am I. But I do not propose to see my constituents unfairly burdened in bearing the expenses—not of the Capital City, but of the people of Washington.

The gentleman refers to the need of schools, sewers, and water mains as being urgent. If it had not been for the adoption of the lump-sum plan the gentleman from Maryland even could not begin to picture the urgency of the needs that would confront the city now. Here was the situation: During the World War the city grew rapidly in population. New areas were built up that would be productive of taxes. The new areas grew up and the population increased with a great increase of District property and District needs, but without equal expansion of Federal property or needs. There was created a terribly urgent need for sewers, streets, lights, water mains, and all that, but following the World War—when the country was overburdened with taxation—it was not to be considered, any great increase of the Federal contribution to District expenses.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMTON. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAMTON. What I sought to do was to arrive at some plan so that the urgent needs of the people of the District could be taken care of without unfairly burdening the Federal Treasury that was staggering already under great burdens of taxation. The people here were paying \$1.20 or something like that. The people in my district were paying \$3 or \$4. I did not feel that the people of the District had reached their capacity to pay for the things they needed, but under the proportionate plan of 40-60 every time \$10 was added to the appropriation bill \$4 came out of the Federal Treasury. I offer the lump-sum amendment providing that our full contribution should be \$8,000,000 plus certain fees that would come back. Later in a compromise with the Senate it was made \$9,000,000 plus the fees, and that is what it is now.

Under that plan we would contribute the \$9,000,000; and then, however much more the appropriations were for the District, the District would take care of the balance. In other words, it opened the way by which contributions of the District could be increased without increasing the Federal burden. That is what has made possible the development of the last four years. It is that system that has made it possible to get appropriation bills through here, and has made possible the tremendous increase in facilities in the way of schools, sewers, water mains, and so forth, that mean so much in the Washington of to-day.

It could not have been done otherwise. Before that we were always being attacked as being parsimonious with the District. Under the lump-sum plan it was contemplated that the appropriation bills would be larger than they had been before; and they are larger; but because they are larger that does not mean that we must abandon the system. The purpose of the system was to permit appropriation bills commensurate with the needs of the District. Before then we were attacked as being parsimonious. I contended, when I offered that amendment, that it would permit the people of the District to occupy a more dignified position when they came before Congress. Therefore they had come here asking for money from the Treasury when they urged improvements. Now, when they come to the committee and say that they want more expenditure for this or that purpose, it is their money that they are urging the expenditure of, and they are entitled to our consideration.

Mr. ZIHLMAN. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. ZIHLMAN. Where do the citizens of the District of Columbia get this opportunity of urging these needed improvements? To what tribunal, to what august body do they present these demands?

Mr. CRAMTON. They get a pretty good hearing in the newspapers. I have always noted that.

Mr. ZIHLMAN. In other words, the gentleman concedes that they have no authorities to whom they can go?

Mr. CRAMTON. Oh, I have not conceded that. I assume this, and I imagine the gentleman from Nebraska [Mr. SIMMONS], as well as the gentleman from Pennsylvania [Mr. CASEY] and other members of that subcommittee, will confirm it. I know that the members of the subcommittee have been making a study of these things in contact with the people, and I assume that anyone who has information as to any need will have had no difficulty in getting to any member of that committee to present those needs.

Mr. SIMMONS. The people of the District have their commissioners, they have their city officials, and always during the three years that I have been a member of this subcommittee we have given hearings to absolutely every citizen in the District who asked for it, without exception.

Mr. CASEY. And I want to say for the information of the gentleman that during our investigation into this matter, we asked the District Commissioners to furnish us with a map of the District of Columbia with an outlay of the sewer system, spoken of by the gentleman from Maryland [Mr. ZIHLMAN], extending to those places which he talked about, and the commissioners admitted that they never had had any such map, and the question had never been studied, and they have never made any requests of Congress for additional sums for that purpose.

Mr. SIMMONS. And may I ask the gentleman from Pennsylvania whether the idea that he wishes to convey to the House is that the first time the question was given consideration was when the gentleman from Pennsylvania himself raised it? I refer to this question of sewerage.

Mr. CASEY. Yes; the hearings show that.

Mr. CRAMTON. Of course, there are some political and some newspaper needs that even exceed the real needs of the people of the District. The fact is that the people have full opportunity of presenting their needs, and they have an opportunity to adopt resolutions. I notice one thing in the current year. It has gotten to a point when occasionally a meeting of those citizens will adopt a resolution that they do not want their tax rate any higher. I assume that if the gentleman from Maryland were to offer an amendment here providing for all the needs that he has mentioned he would get protests from at least two-thirds of the citizens' associations of the District of Columbia, since under the present system it is their money that is being expended.

I just want to conclude with this, that the idea of the lump-sum plan as set forth in my attempt was not an exact and scientific decision as to the amount that should be contributed. It was based upon the thought that we would continue to spend what we had been spending, although I thought it was too high. There has now been made a study and a showing. The newspapers of the District have been insisting that in determining how much we should contribute there should be a comparison of the property of the Federal Government and of the value of the property of others in the District of Columbia. That has been their insistence from the first.

The gentleman from Nebraska [Mr. SIMMONS] has shown that when the sacred half-and-half theory was born it came from that parentage; that theory of an assessment of Federal property, joined with the agile and fertile brains of some people here, which permitted them to include in that assessment of Federal property the streets and highways of the District of Columbia. That is the theory upon which our 50-50 contribution was based—an assessment of our property—and now it is shown to us by an investigation of this subcommittee, more thorough, more logical, and complete than any hybrid commission that could be created would accomplish, that if we are to base it on that plan, then instead of its being \$9,000,000, as the bill carries, or \$10,000,000, as the gentleman from Maryland proposes, it ought not to be over \$6,000,000. In view of that I offered my amendment to the gentleman's amendment to make it \$7,000,000. However, so strong is my desire to be liberal to the District, taking into consideration that this is our Federal Capital, I am not disposed to press the \$7,000,000 amendment unduly.

Mr. DALLINGER. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. DALLINGER. Does the gentleman know of any other case where the Government—State, county, or municipal—pays any taxes or makes any contribution toward the government of any municipality within its boundaries?

Mr. CRAMTON. No. And this Congress uniformly refuses to do so as to any other place.

The CHAIRMAN. The time of the gentleman from Michigan has expired. The question is on the substitute offered by the gentleman from Michigan to the amendment offered by the gentleman from Maryland.

The question was taken, and the substitute was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland.

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. CRAMTON. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 6, noes 57.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

LICENSE BUREAU

For personal services in accordance with the classification act of 1923, \$17,820; temporary clerk hire, \$1,500; in all, \$19,320.

Mr. SIMMONS. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Nebraska offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SIMMONS: Page 4, on line 24, after the figures "\$19,320," strike out the period, insert a colon, and add the following: "Provided, That hereafter no person shall practice phrenology in the District of Columbia without paying the license tax named in paragraph 32, section 7, of the District of Columbia appropriation act, approved July 1, 1902, subject to the proviso contained in said paragraph."

Mr. SIMMONS. Mr. Chairman, probably this provision is subject to a point of order. I have consulted the chairman of the District legislative committee and the ranking member on the Democratic side, and others on the committee. The amendment is designed to do away with the gypsy fortune tellers who now infest Pennsylvania Avenue and other parts of Washington. If it is adopted, it will have the effect of doing away with these gypsy fortune tellers. I thought that ought to be stated.

Mr. HUDSON. What will they be required to pay as a license?

Mr. SIMMONS. They are not required to pay anything now, nor required to have a license.

Mr. HUDSON. If this is adopted what will they have to pay as a license?

Mr. SIMMONS. Twenty-five dollars a year.

Mr. HUDSON. Do you expect to drive them out in that way?

Mr. SIMMONS. The chief of police can deny them a license in his discretion.

Mr. LAGUARDIA. I think it is a very dangerous precedent to license it.

Mr. HUDSON. If the gentleman is trying to control it by licensing it, I do not think he will control it.

Mr. LAGUARDIA. You should not license it. By licensing it you appear to be legalizing it.

Mr. SIMMONS. No license is necessary at present.

Mr. LAGUARDIA. What I fear is that the gentleman is in a manner legalizing it.

Mr. SIMMONS. The gypsy fortune tellers are now practicing their trade without a license and can not be stopped.

Mr. LAGUARDIA. The only way to stop it is to make it a penal offense. We do it in New York City and in New York State. Anybody who undertakes to predict the future is prohibited from practicing that supposed art. We have cleaned them out in New York City.

Mr. HUDSON. I am not going to oppose this amendment. On the contrary, I hope it will be adopted; but I do hope that the District legislative committee will bring in legislation here that will put these people out of business. You may have a chief of police who will give them a license.

Mr. SIMMONS. At the present time there is no way for even the chief of police to stop them.

Mr. LAGUARDIA. The chief of police can not even use his discretion in refusing to issue a license. Suppose an applicant applied for a license and the chief of police refused. The applicant may mandamus the chief of police if he refuses to license an applicant and licenses anybody else. You can not get away from that.

Mr. SIMMONS. The licenses are to be issued by the chief of police in his discretion.

Mr. LAGUARDIA. But there is always a point and limit to the discretion of the police officials.

Mr. HUDSON. The gentleman from New York knows that the chief of police has it in his power to refuse a license. But this does not overcome the evil.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Louisiana is recognized.

Mr. O'CONNOR of Louisiana. Mr. Chairman, the superior value of experience is a truth almost axiomatic, it is so frequently expressed. "It is on the anvil of discussion that the spark of truth will fly" is almost a bromide, and it is and always will remain true that it is by and through discussion that legislative, economic, judicial, and governmental truths are ascertained. The experience of a city of a size similar to that of Washington and a population approximately the same may be of value to the people of the District of Columbia. For years the city of New Orleans, pursuing the legal and political plan adopted by most of the cities, had executive, legislative, and judicial departments of government elected by the people every four years. We got along fairly well with it; but finally our people, who are somewhat like the other people in the United States, with slight differences due to environment—finally our people determined on a commission form of government, and now we have a mayor and four commissioners, and they are invested with full and complete powers to discharge all the functions which devolve upon a city of that size, which has about 450,000 inhabitants. Those four commissioners and the mayor in New Orleans have executive power, and it is also their function to legislate by adopting ordinances and rules and regulations which have the force and effect of law. They even discharge quasijudicial functions. That is, they appoint recorders, who impose penalties for the vindicating and enforcement of municipal ordinances. We derive our charter in the city by a grant from the State. The city charter here in Washington is called the organic law. But there is no difference in the two propositions from a political and legal standpoint.

I have often wondered why the city of Washington could not be granted full, plenary, complete, and exemplary powers in order to discharge obligations which necessarily rest upon a city having the population and requirements of Washington. I have thought, with many of my countrymen, I suppose, why on earth a committee in charge of the affairs of the District of Columbia has to come to the House of Representatives—and then our enactment goes to the Senate—for the purpose of adopting a rule or regulation or ordinance that would prohibit fortune telling and other fake practices for imposing on the credulous people of the District and those who come here.

Why, it does look absurd almost to the standpoint of causing laughter from people who have given municipalities and their functioning any thought at all, that the Congress of the United States should be called upon, with its multitudinous duties of a national character, to pass upon the wisdom and the necessity of some little regulation with respect to traffic on the streets or with respect to suppressing what is generally regarded as pestiferous fraud upon the credulous and those who are not well informed and who seek fortune-tellers to divine the future.

Mr. LAGUARDIA. The gentleman will be surprised to know that well-informed people go and have their fortunes told. We had that experience in New York City and those people even opposed the law.

Mr. O'CONNOR of Louisiana. I suppose that superstition is the vice of a great many who pretend to despise it. That is about the size of it, and I think I understand the gentleman thoroughly.

Mr. CASEY. Will the gentleman yield?

Mr. O'CONNOR of Louisiana. Yes.

Mr. CASEY. Of course, in the city to which the gentleman refers, the people have the right to vote and elect their own municipal authorities; they also spend their own money, but here is involved an appropriation of \$9,000,000 from the Federal Treasury to be spent by officers who are not subject to recall or removal from office by the taxpayers of the city. That may make a difference.

Mr. O'CONNOR of Louisiana. It may, but really I do not see why it should make any difference. I do not see why the commissioners should not be permitted to discharge the functions of their office in the fullest and most complete manner and to meet all the exigencies and emergencies that spring into existence daily in the administration of a big city.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. O'CONNOR of Louisiana. I have heard this proposition as to what the Government should contribute to the support of the District of Columbia debated and discussed seriously and facetiously ever since I came here, which is about 10 years ago. I have not made up my mind fully upon the matter because I thoroughly understand it has its complexities and a good many bewilderments. I understood it was stated here on the floor that it is conceded the value of all the Federal property, real and personal, if it has any personal property, is approximately \$407,000,000 and that if the tax rate which is applied to all other private and personal property were applied to that it would be something a little more or less than \$7,000,000 per annum. I do not know how successfully that idea has been controverted by the friends of the District of Columbia, and I imagine there may be other factors which will enter into a decision of the matter which may make for some permanent policy upon the part of the Federal Government with respect to the District of Columbia. I do know that in all other cities of the United States of America Federal property is not taxed at all but, of course, as the gentleman from Pennsylvania [Mr. CASEY] has said, this being the Capital of the Nation there are some difficulties with respect to the amount the Federal Government should contribute.

I may say, however, that I have never believed in a short-minded or short-visioned policy with respect to the administration of any great city. Cities are like the individuals that compose them. You can not be shabby with a city any more than you can with a man or woman, and a city that is wanting in dignity is about as poorly off as an individual wanting in that regard.

I remember that the lamented McKinley was in New Orleans a number of years ago. He had gone down there to discuss the sugar tariff at the invitation of the sugar people of Louisiana, and I might give you some information or a good story in regard to that trip. It was thought at that time that the leading people in the financial, industrial, agricultural, and commercial activities of Louisiana were about to turn Louisiana over to the Republican Party in that presidential election then pending; that is, they were to go Republican. But there are difficulties in the way of the success of all plans. "The wisest plans of men and mice gang aft aglee." The issue at that time which overshadowed all others and, like Aaron's rod, swallowed all other rods, was the race question thrust on us by some who thoughtlessly, I hope not heartlessly, undertook to trample out of existence Anglo-Saxon-Celtic civilization and supplant it with mongrelism and Africanism. That issue was brought up and forced to the front by men who feared the political effects and consequences which would flow from the negroes misconstruing reaction, and it changed the attitude at the last moment of those who were going to put the State over for McKinley. McKinley said in that address—

The CHAIRMAN. The time of the gentleman from Louisiana has again expired.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I ask for one additional minute.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to proceed for one additional minute. Is there objection?

There was no objection.

Mr. O'CONNOR of Louisiana. I want to finish this contribution to the information of the Members of the House. McKinley said there, with 20,000 people in the arena in which he spoke, "I do not believe in a cheap coat because a cheap coat inevitably will make for a cheap man." That may not have been the most intellectual argument that could be made on the tariff, but for some inscrutable reason it had the effect of carrying that big crowd off its feet and it went wild with enthusiasm for McKinley and for the utterance he had delivered with respect to what makes for a great, self-respecting people. In that utterance the masses found comfort. They saw in it good

wages which make for decent, upstanding American men and women. It makes for that purchasing power, without which the wheels of prosperity are slowed up, if not stopped altogether. You can not beat them down into poverty; you can not clothe them in shabby attire, put them on half-soled and broken shoes, and expect them to live up to the highest traditions of a great Republic like this. [Applause.]

The CHAIRMAN. The time of the gentleman from Louisiana has again expired.

Mr. LAGUARDIA. Mr. Chairman, I am in sympathy with the purpose sought by the gentleman from Nebraska [Mr. SIMMONS] in offering this amendment, but I can not vote for it because it is not the proper way of going about it. There is only one way to do a thing, and that is to do it the right way. You can not enact a penal law by putting a limitation on appropriations. I will go further than anyone else on the floor of this House in limiting appropriations to achieve a certain purpose.

Mr. SIMMONS. Will the gentleman yield?

Mr. LAGUARDIA. Surely.

Mr. SIMMONS. I frankly stated that this proviso was subject to a point of order.

Mr. LAGUARDIA. I know the gentleman did.

Mr. SIMMONS. This is not a limitation at all, but it is the enactment of substantive law in this bill.

Mr. LAGUARDIA. Absolutely. The gentleman was perfectly fair about it. But if you are going to do it that way, you might as well go the whole way and put in a penal provision that it shall be unlawful hereafter for any person to predict the future or relate the past for a consideration or otherwise, and that any person who violates such a law shall be guilty of a misdemeanor and subject to a fine of \$50 and imprisonment for 30 days. That is the way to do it, and then the practice will be stopped.

This is going to give rise to all sorts of complications, legal and otherwise. Another thing, gentlemen, it is not safe to vest so much discretion in the chief of police, no matter who he may be. You can not make him the sole arbiter of what phrenology is and what astrology is and what palm reading is and what crystal gazing may be. The one thing we are trying to do all the time is not to vest great discretionary power in our police departments, but say what the law shall be and then let the police enforce the law, and not give to a chief of police the power to say, "All right; I will denote you a phrenologist. Here is your license, and you may go on and tell fortunes." Then some one else may come along whom he does not like and he will not grant him a license.

I am sure the proponents of this amendment do not desire to do any such thing, but instead of curbing this evil you are going to legalize it to a certain extent and you are going to place in the hands of the police department an arbitrary power that I am sure you never intended.

Mr. ABERNETHY. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. ABERNETHY. How is the gentleman able to tell that there is not something to these things? Does the gentleman know you can not read the future by the past? I do not know myself, and I am just wondering if the gentleman has any means of telling.

Mr. LAGUARDIA. I did not say that.

Mr. ABERNETHY. I understood the gentleman to say that we are going to pass a penal provision whereby if a man undertook to judge the future by the past he would be violating the law. I think it was Patrick Henry who said something about that once.

Mr. LAGUARDIA. The gentleman was not in the Chamber at the time I made my statement.

Mr. ABERNETHY. Yes; I was listening to the gentleman.

Mr. LAGUARDIA. Then the gentleman did not hear me correctly. I did not say any such thing as that. I was simply relating in substance what the penal law is in many States in connection with fortune telling.

Of course, we can make a guess of what the future may be based on past performances. That is easy.

Mr. HOLADAY. Mr. Chairman, let me call the attention of the gentleman from New York to the fact that there is now in the law a provision authorizing the licensing of clairvoyants, soothsayers, fortune tellers, and so forth. There is a proviso, also, that no license shall be issued without the approval of the major and superintendent of police.

Under the present situation these gypsies we have been talking about do not come under the general licensing section, and therefore they are operating without any license, and the chief

of police has no authority to stop them. With the adoption of the amendment that is offered they will come under the general section, and I will say to the gentleman from New York that personally I do not agree with section—

Mr. LAGUARDIA. With the section itself?

Mr. HOLADAY. No; but that is a matter that must be handled by the legislative committee. By the adoption of this amendment they will come under the general section, and the chief of police has the power to absolutely refuse to issue them a license. It is our understanding that with this amendment adopted the nuisance and evil that has existed will be remedied, as the chief of police will not grant them licenses.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The amendment was agreed to.

The Clerk read as follows:

For purchase of traffic signals and markers, painting white lines, labor, and such other expenses as may be necessary in the judgment of the commissioners, \$45,000: *Provided*, That no part of this or any other appropriation contained in this act or that is now available shall be expended for building, installing, and maintaining street-car loading platforms and lights of any description employed to distinguish same.

Mr. HUDSON. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question.

I notice in this paragraph the appropriation refers to markers, and also the section almost immediately preceding this section is for the purpose of providing "permanent marking on the ground of the system of highways." Are we providing markers under two departments of the city government, or what is the reason for a duplication of appropriation for the purpose of providing markings?

Mr. SIMMONS. Does the gentleman refer to the \$3,000 item on page 6 for "permanent marking on the ground of the system of highways?"

Mr. HUDSON. Yes.

Mr. SIMMONS. That is the permanent highway system and includes the location of streets, avenues, and so forth, under the working out of the permanent highway system of the District.

Mr. HUDSON. Signs?

Mr. SIMMONS. Yes; that is under the surveyor's office. The other is an item for the marking of safety zones, no parking signs, and so forth, on the streets.

Mr. HUDSON. I understand.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Northwest: H Street, First Street to Massachusetts Avenue, \$7,200.

Mr. SIMMONS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Committee amendment: Page 22, line 17, insert "Northwest: First Street, G to H, \$3,000."

The amendment was agreed to.

Mr. SIMMONS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 22, line 21, insert the following: "Northwest: Seventeenth Street, Varnum Street to Webster, \$4,500."

The amendment was agreed to.

The Clerk read as follows:

Southeast: Sixteenth Street, Good Hope Road to Ridge Place, \$12,900.

Mr. SIMMONS. I offer the following amendment.

The Clerk read as follows:

Page 26, after line 23 insert: "Southwest: Virginia Avenue to D Street, \$7,800."

The amendment was agreed to.

The Clerk read as follows:

In all, \$1,660,000; to be disbursed and accounted for as "Gasoline tax, road and street improvements," and for that purpose shall constitute one fund and be available immediately: *Provided*, That no part of such fund shall be used for the improvement of any street or section thereof not herein specified: *Provided further*, That assessments in accordance with existing law shall be made for paving and repaving roadways where such roadways are paved or repaved with funds derived from the collection of the tax on motor-vehicle fuels and accretions by repayment of assessments: *Provided further*, That in the performance of the street-paving work specially provided for in this act priority shall be given to those streets which are more in the nature of through thoroughfares or arterial highways.

Mr. SIMMONS. Mr. Chairman, I offer the following amendment to correct the total.

The Clerk read as follows:

Page 29, line 21, strike out "\$1,660,000" and insert "\$1,675,300."

Mr. SIMMONS. That is merely to correct the total, including the items that have been inserted.

The amendment was agreed to.

Mr. ZIHLMAN. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I am in accord with this section of the bill as to the items of new paving. I am not interested in the paving of any particular street and have made no request either of the District Commissioners or of the committee for the inclusion of any items. I am, however, disappointed that the committee has seen fit to cut down the sum total for the building of the curb, gutters, and shoulders of roads, which I consider the most economic type of construction for the replacement of worn-out paving in this city. You have cut this item in the sum of \$90,000, and a further cut in the appropriation for resurfacing worn out streets from \$800,000 to \$600,000—making a total cut of \$290,000 in this paragraph. I am advised that the streets which the District government have been shouldering and resurfacing are being constructed at a cost of one-third of what an entire new pavement would cost.

I would like to know from the chairman of the committee why it was necessary to cut this very meritorious item, and further I would like to ask what he means by the language on page 31 where he makes the appropriation for repairs in the sum of \$1,475,000 and then provides that \$90,000 shall be paid from the gasoline tax for road and street funds, and whether or not this \$90,000 is to be deducted from the \$1,675,000 as you have now made it or as carried in the bill, \$1,660,000?

Mr. SIMMONS. The \$90,000 the gentleman refers to provides that it shall be paid out of the gasoline-tax fund.

Mr. ZIHLMAN. It does not come out of the \$1,600,000 item?

Mr. SIMMONS. No. The gentleman refers to this as an old item. It is a new item. It is to macadam streets that now have cobblestone gutters, and other streets where they have no curbs they are going to put in concrete shoulders.

We want to recognize their plan, we want to give material encouragement to it, and are giving it to the extent of \$200,000. We feel that in view of the complaint that is coming from the people of the District and the requests that we curb their taxes that here was an item on which we possibly should proceed slowly.

About the other \$200,000 item the facts are these: For some three or four years now we have been carrying out a program of resurfacing in the old streets in the District. The testimony was that next year they would complete the resurfacing program and have the streets up current. They said they wanted \$800,000 this year to complete them, that they expected to ask next year for \$400,000.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent for an additional five minutes.

The CHAIRMAN. Is their objection?

There was no objection.

Mr. SIMMONS. They said they would want \$800,000 in this bill and \$400,000 next year, and that the two items, totaling \$1,200,000, would complete the resurfacing program in the District.

Mr. ZIHLMAN. Does the committee believe that \$1,200,000 will do that?

Mr. SIMMONS. Captain Whitehurst's word goes a long way with the committee, and that is his testimony. We felt that we would not be hampering that program at all if, instead of giving them \$200,000 this year and \$400,000 next year, we allowed them to proceed in a regular order and give them \$600,000 this year, and then whatever part of \$600,000 they needed next year to complete the program. I call attention further to this, that in this resurfacing work, by the adoption of what is known as the heater method, they have resurfaced far more streets than they expected to when we appropriated the money.

Mr. ZIHLMAN. The gentleman means that the money has gone further or that they have advanced further with the work?

Mr. SIMMONS. They have advanced further and have done more work with the money that they had. They are nearer completion than they thought they would be when we appropriated the money last year. Captain Whitehurst said if any items were to be cut that this resurfacing item was one they felt could be cut.

Mr. ZIHLMAN. And he justified that?

Mr. SIMMONS. Yes. We are going to complete the resurfacing program next year. This is a plan whereby we are giving them ample money to carry on their work.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent to withdraw the pro forma amendment.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read the paragraph beginning with line 12, on page 44.

The CHAIRMAN. Without objection, the Clerk will correct the spelling of the word "completely," in line 12.

There was no objection.

The Clerk continued the reading of the bill, and read down to line 9, on page 46.

Mr. SIMMONS. Mr. Chairman, I ask unanimous consent that the consideration of the paragraph contained in the lines 9 to 14, inclusive, on page 46, be postponed until to-morrow, preserving all rights as to points of order and amendment. In other words, that we pass over this item and take it up at the beginning of the reading to-morrow. The item I refer to is as follows:

No part of the appropriations herein made for the public schools of the District of Columbia shall be used for the instruction of pupils who dwell outside the District of Columbia: *Provided*, That this limitation shall not apply to pupils who are enrolled in the schools of the District of Columbia on the date of the approval of this act.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that the consideration of the paragraph referred to be postponed until to-morrow, with the conditions stated. Is there objection?

There was no objection.

The Clerk read as follows:

For purchase, installation, and maintenance of equipment, for school yards for the purposes of play of pupils, \$10,000: *Provided*, That such playgrounds shall be kept open for play purposes in accordance with the schedule maintained for playgrounds under the jurisdiction of the playground department.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to proceed for 10 minutes out of order.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

Mr. BANKHEAD. Mr. Chairman, reserving the right to object, the gentleman from Michigan very kindly told me that it was his purpose to make this request. I ask the gentleman whether he is going to discuss a political subject?

Mr. KETCHAM. No; it is more of a statistical matter with some political implications.

Mr. BANKHEAD. Under those circumstances, I think we ought to have a quorum of the committee present.

Mr. KETCHAM. And under those circumstances I shall not press the request.

Mr. BANKHEAD. I suggest that the gentleman can get some time to-morrow.

Mr. KETCHAM. Yes. The only reason that I desire to discuss this matter now is because in a sense it refers to some remarks made by the gentleman from Alabama [Mr. BANKHEAD] earlier to-day. I thought possibly that two of them ought to appear in the RECORD of the same date. Mr. Chairman, I withdraw my request.

The CHAIRMAN. The gentleman from Michigan withdraws his request for unanimous consent, and the Clerk will read.

The Clerk read as follows:

In all, \$245,000, and in addition thereto the sum of \$100,000 of the unexpended balance of the appropriation of \$703,500 contained in the District of Columbia appropriation act for the fiscal year 1927, is reapportioned and made available for the purposes of this paragraph, to remain available until June 30, 1930: *Provided*, That, with the exception of \$80,000, no part of this appropriation shall be expended for the purchase of any site the cost of which shall exceed the full value assessment of such property last made before purchase thereof plus 25 per cent of such assessed value.

Mr. SIMMONS. Mr. Chairman, I offer an amendment to page 52, after line 5.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Nebraska.

The Clerk read as follows:

Amendment offered by Mr. SIMMONS: Page 52, after line 5, insert the following paragraph:

"The unexpended balance of the appropriation of \$703,500 for the purchase of school building and playground sites, contained in the District of Columbia appropriation act for the fiscal year 1927, is continued available until June 30, 1929, for the purchase of school building and playground sites authorized to be acquired in the five-year school-building program act: *Provided*, That part or parts of a site may be purchased under the 125 per cent limitation if the total cost of the part or parts acquired does not at the time of such purchase exceed 125 per cent of the assessed value."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The school buildings authorized and appropriated for herein shall be constructed with all doors intended to be used as exits or entrances opening outward, and each of said buildings having an excess of eight rooms shall have at least four exits. Appropriations carried in this act shall not be used for the maintenance of school in any building unless all outside doors thereto used as exits or entrances shall open outward and be kept unlocked every school day from one-half hour before until one-half hour after school hours.

Mr. SCHAFER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word. The gentleman is recognized for five minutes.

Mr. BANKHEAD. Mr. Chairman, a few moments ago the gentleman from Michigan [Mr. KETCHAM] asked unanimous consent to proceed out of order for 10 minutes. I did not object to that request, but suggested we should have a quorum to hear his discussion. The main reason for that suggestion was the fact that no representative of the minority who knows much about the tariff schedules was present at that time. Since that time a few of our friends have come in who are somewhat familiar with that subject. I now withdraw the objection and ask unanimous consent that the gentleman from Michigan may proceed out of order for 10 minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the gentleman from Michigan may proceed out of order for 10 minutes. Is there objection?

There was no objection.

Mr. KETCHAM. Mr. Chairman and members of the committee, in a sense I regret to perform the duty and assume the responsibility which I now take upon myself. At almost every session of Congress, and especially in the early days of the session, some of our good friends on the Democratic side try to inject some political angles into purely economic discussions, and in this connection this afternoon I thought our good friend, the gentleman from Alabama [Mr. BANKHEAD] rather censured the Republican Party for the enactment of the Fordney-McCumber tariff act, particularly in its relationship to agriculture.

I gathered that in his heart he feels, honestly and sincerely, that the farmers of the country have been done a very grave injustice by the enactment of that measure. I gathered further from his remarks he thought that the price relationships with reference to agricultural products had been very unfavorably affected as a result of the enactment of the Fordney-McCumber tariff act.

My responsibility, of course, is not to argue this question but simply to present for the consideration of the gentleman from Alabama the real, hard, cold facts of the situation, and let them speak with very much more eloquence and force than I could possibly muster. So I would just ask the gentleman from Alabama and the others who possibly hold to his political philosophy to secure at their leisure and convenience a copy of a publication furnished by the Department of Agriculture through its Bureau of Economics, entitled "The Agricultural Situation." I am now about to read from the December 1 copy of this publication. It is issued monthly. Particularly am I going to quote from "The general trend of prices and purchasing power," on page 9. I would like the particular attention of all interested Members of the House, and I am glad there are so many here at this hour to listen to what I have to say on this very important subject. [Applause.]

My recollection is that the Fordney-McCumber Tariff Act went into effect in September of 1922. Naturally, then, I would expect, if I heard the remarks of the gentleman correctly, that beginning with October, at least, of 1922, each of the agricultural products would begin to strike the toboggan slide and would be less in their actual value in each succeeding year that had come

along and that their comparative value or their purchasing power would be likewise less. But, again, the hard, cold, logic of fact told in figures show the untenable position of the gentleman from Alabama and those who hold with him or those who have a similar political philosophy.

I am now reading the figures.

In October of 1922 the grains, which constitute a very high proportion of the agricultural products of the country, were quoted at 101 in the indexes in comparison with 100 as covering the years 1909 to 1914. In other words, I am using the average price for the years 1909 to 1914 as the base and am calling that 100 per cent. In October of 1922, after the enactment of the Fordney-McCumber Tariff Act, the indexes in grains were 101. In October of 1927 the indexes were 128, an increase of 26 per cent, and there is not an October from 1922 to 1927 when the indexes on the grains were not higher than they were in 1922. [Applause.]

Mr. AYRES. Will the gentleman yield?

Mr. KETCHAM. This is so very interesting, I hope the gentleman will permit me to complete this very delightful and entrancing story, then if there is any time left I will be very pleased to yield to the gentleman because I know he has a great interest in the subject.

Fruits and vegetables: In October, 1922, the indexes were 101. In October, 1927, 138, an increase of 36 per cent. Likewise, in all the five years since that time there has never been an October when the price indexes were not higher on fruits and vegetables than they were in 1922.

Meat animals: On the same basis the index in October, 1922, was 113, and October, 1927, 145; and, likewise, not an October in all that length of time when the indexes were not above what they were in 1922.

Mr. HARE. Will the gentleman yield?

Mr. KETCHAM. I regret that the pressure of time and the exceeding interest in these figures will not permit me to yield in the short time I have. If I can get an extension of time, I will be delighted to yield to my good friend from South Carolina who has introduced a good bill for farm relief.

Dairy products: Index in 1922, October, 136; in October of 1927, 139; and not an October in all that time when dairy products prices were not above what they were in 1922.

Poultry products: 159 in 1922, and 167 in 1927, an increase of 7 per cent with likewise not an October below.

And now we come to cotton. I am sorry we do not have a protective tariff on cotton, because the story can not be told with quite so much pleasure and satisfaction, but yet it is pretty good.

In 1922 the index of cotton was 168, and but one month in that whole period of time with no tariff whatsoever, and that the month of October, 1926, when the index upon cotton was not higher than it was in 1922. In October of 1927 it was 169.

Now, to sum it all up, my good friends, I trust that the logic, the cold logic, of these figures that are impersonal and have nothing of a political flavor in them whatsoever, may speak the cold, hard truth, and I hope they will be consulted by the next one of my good Democratic friends who wants to rise up here and declare that the Fordney-McCumber Tariff Act has been responsible for the ills of the farmer. Summing it all up by taking 30 of the leading agricultural commodities into consideration, the indexes for 1922 were 123 and in October of 1927, 139, or an increase of 13 per cent on the whole list, and not an October in the whole time when the farm-price index was not higher than that of October, 1922.

And now in answer to the question which I know my good friends have right on their tongues' end, and I want to anticipate them if I can, "Oh, but what the farmer has had to buy is immeasurably higher." Again, let the cold figures answer.

Taking 400 products of the United States sold at retail in the United States, in 1922 the index was 176 and in October of last year that index had decreased to 151; in other words, the purchasing power of the farmer's dollar had been improved and 14 is the percentage of decrease in the price of the products which he has to buy.

Putting it now in a final word and in the terms that the farmer himself usually uses, his commodity dollar—in other words, the amount of his commodities that he would have to exchange for commodities of other kinds that he buys, according to the old plan of trade and barter—his commodity dollar was a 70-cent dollar in October, 1922, and in October last it was a 92-cent dollar, or an increase in the relative purchasing power of the farmer's commodity of 32 per cent since 1922. [Applause.]

My friends, this is the whole story molded in cold, impersonal figures, with no political tinge to them whatever. I think

they ought to be used as the basis of any fair, square discussion of the effect of the Fordney-McCumber Tariff Act upon the agricultural situation of the country.

Again, I want to thank the large number of my colleagues who have gathered here at the closing hour of the day to hear this very prosaic discussion of the subject that was provoked by my good friend, the gentleman from Alabama in his remarks early in the afternoon. [Applause.]

Mr. GARNER of Texas and Mr. BANKHEAD rose.

Mr. KETCHAM. If I have any time I will be very pleased to yield.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SIMMONS. I object to any further extension of time.

Mr. BANKHEAD. It is late in the afternoon, and we are not going to make much more progress on the bill, and this is an important matter.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

METROPOLITAN POLICE

SALARIES

For the pay and allowances of officers and members of the Metropolitan police force, in accordance with the act entitled "An act to fix the salaries of the Metropolitan police force, the United States park police force, and the fire department of the District of Columbia," including compensation at the rate of \$1,860 per annum for the present assistant property clerk of the police department, \$2,694,727.08.

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to proceed out of order for five minutes.

Mr. SIMMONS. Reserving the right to object, the gentleman had time this afternoon and I desire to finish the reading of the provisions with relation to the police department this afternoon. I have assured Members that the House will adjourn at 5 o'clock.

Mr. GARNER of Texas. Will the gentleman yield before he makes objection?

Mr. SIMMONS. I have already objected.

Mr. BANKHEAD. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Alabama makes the point that there is no quorum present. The Chair will count.

Mr. SIMMONS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11133, the District of Columbia appropriation bill, and had come to no resolution thereon.

THE COMMITTEE ON MERCHANT MARINE

Mr. WHITE of Maine. Mr. Speaker, on Monday next the Merchant Marine Committee of the House will begin hearings on the various propositions for merchant marine legislation. By authority of the committee I ask unanimous consent that it may sit during sessions of the House while that legislation is before us.

Mr. GARNER of Texas. Mr. Speaker, the gentleman from Tennessee [Mr. GARRETT], in reply to suggestions of that kind, invariably asks the Member to make his request for 30 days, and at the end of that time, if occasion requires, permission could be asked for an extension of the time. I hope the gentleman from Maine will comply with that proposition, for the gentleman from Tennessee does not happen to be present.

Mr. WHITE of Maine. Mr. Speaker, I will modify my request to that extent. I hope before the 30 days have passed that we will have concluded the hearings and reported the legislation to the House.

The SPEAKER. The gentleman from Maine, by authority of the Committee on Merchant Marine, asks unanimous consent that that committee may sit during the sessions of the House during the next 30 days. Is there objection?

There was no objection.

ADJOURNMENT

Mr. SIMMONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Friday, February 24, 1928, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, February 24, 1928, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Navy Department appropriation bill.

COMMITTEE ON AGRICULTURE

(10 a. m.)

To establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities in interstate and foreign commerce (H. R. 7940).

COMMITTEE ON THE JUDICIARY

(10 a. m.)

To amend and reenact section 105, chapter 5, of the Judicial Code (H. R. 154).

Proposing an amendment to the eighteenth amendment of the Constitution (H. J. Res. 203).

Extending the provisions of existing laws for deportation of aliens and defining the manufacture or sale of intoxicants as a crime involving moral turpitude (H. R. 5688).

EXECUTIVE COMMUNICATIONS, ETC.

373. Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Nantucket Sound, Mass., with a view to the removal of shoals in the vicinity of Cross Rip Shoals Light (H. Doc. No. 182), was taken from the Speaker's table and referred to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MacGREGOR: Committee on Accounts. H. Res. 98. A resolution providing for a temporary assistant clerk to the Committee on Invalid Pensions (Rept. No. 737). Ordered printed.

Mr. MacGREGOR: Committee on Accounts. H. Res. 100. A resolution providing for a clerk and janitor to the Committee on Expenditures in the Executive Departments (Rept. No. 738). Ordered printed.

Mr. MacGREGOR: Committee on Accounts. H. Res. 104. A resolution to pay six months' salary and funeral expenses to Erma Russell, on account of the death of Aaron Russell, late an employee of the House (Rept. No. 739). Ordered printed.

Mr. McSWAIN: Committee on Military Affairs. H. J. Res. 177. A joint resolution authorizing the erection of a flagstaff at Fort Sumter, Charleston, S. C., and for other purposes; without amendment (Rept. No. 740). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOUSTON of Hawaii: Committee on Military Affairs. H. R. 5805. A bill to authorize the Secretary of War to pay officers and Filipinos formerly enlisted as members of the National Guard of Hawaii for field and armory training during years 1924 and 1925, and to validate payments for such training heretofore made; with amendment (Rept. No. 741). Referred to the Committee of the Whole House on the state of the Union.

Mr. PORTER: Committee on Foreign Affairs. H. R. 9043. A bill to authorize the payment of an indemnity to the Government of France on account of losses sustained by the owners of the French steamship *Madelcine* as a result of a collision between it and the U. S. S. *Kerwood*; without amendment (Rept. No. 742). Referred to the Committee of the Whole House on the state of the Union.

Mr. JACOBSTEIN: Committee on Labor. H. R. 6848. A bill to create in the Bureau of Labor Statistics of the Department of Labor a division of safety; without amendment (Rept. No. 745). Referred to the Committee of the Whole House on the state of the Union.

Mr. KNUTSON: Committee on Indian Affairs. H. R. 10360. A bill to confer additional jurisdiction upon the Court of Claims under an act entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims," approved May 14, 1926; without amendment (Rept. No. 746). Referred to the Committee of the Whole House on the state of the Union.

Mr. QUIN: Committee on Military Affairs. H. R. 11197. A bill to authorize the Secretary of War to grant rights of way

to the Vicksburg Bridge & Terminal Co., upon, over, and across the Vicksburg National Military Park at Vicksburg, Warren County, Miss.; without amendment (Rept. No. 747). Referred to the Committee of the Whole House on the state of the Union.

Mr. JEFFERS: Committee on Election of President, Vice President, and Representatives in Congress. H. R. 7373. A bill providing for the meeting of electors of President and Vice President and for the issuance and transmission of the certificates of their selection and of the result of their determination, and for other purposes; with amendment (Rept. No. 750). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LINTHICUM: Committee on Foreign Affairs. H. R. 9411. A bill for the relief of Maurice P. Dunlap; without amendment (Rept. No. 743). Referred to the Committee of the Whole House.

Mr. MARTIN of Massachusetts: Committee on Foreign Affairs. H. J. Res. 147. A joint resolution for the relief of the estate of the late Max D. Kirjassoff; without amendment (Rept. No. 744). Referred to the Committee of the Whole House.

Mr. JOHNSON of Illinois: Committee on Military Affairs. H. R. 11094. A bill to correct the military record of William Estes; without amendment (Rept. No. 748). Referred to the Committee of the Whole House.

Mr. BULWINKLE: Committee on Claims. S. 1287. An act for the relief of the Near East Relief (Inc.); with amendment (Rept. No. 749). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3684) granting an increase of pension to Sarah A. Pickett; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 3685) granting an increase of pension to Mary E. Daniels; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11253) granting an increase of pension to Alvira J. Conner; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of South Dakota: A bill (H. R. 11350) to amend the World War veterans' act, approved June 7, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. MacGREGOR: A bill (H. R. 11351) to exempt American Indians born in Canada of tribes formerly settled in the United States from the operation of the immigration act of 1924; to the Committee on Immigration and Naturalization.

By Mr. UNDERHILL: A bill (H. R. 11352) amending Subchapter XII, fraternal beneficial associations, of the Code of Law for the District of Columbia to provide protection on the lives of children by fraternal beneficial associations; to the Committee on the District of Columbia.

By Mr. WELCH of California: A bill (H. R. 11353) directing the Interstate Commerce Commission to investigate certain practices of the American Telephone & Telegraph Co. and its subsidiary companies and the Western Electric Co. and its subsidiary companies; to the Committee on Interstate and Foreign Commerce.

By Mr. ZIHLMAN: A bill (H. R. 11354) to provide for the improvement and modernization of the Western Public Market in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. QUIN: A bill (H. R. 11355) for the relief of Navy personnel and civilian employees of the Navy who suffered loss of household and personal effects due to the earthquake and fire in Japan in September, 1923; to the Committee on Naval Affairs.

By Mr. ROWBOTTOM: A bill (H. R. 11356) authorizing the State of Indiana to construct, maintain, and operate a toll bridge across the Ohio River at or near Rockport, Ind.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 11357) authorizing the State of Indiana to construct, maintain, and operate a toll bridge across the Ohio River at or near Evansville, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. CONNALLY of Texas: A bill (H. R. 11358) to provide for the orderly marketing of the surplus of staple agricultural commodities through Federal agricultural export corporations and for the stabilization of the prices of such commodities through the issuance of export debentures; to the Committee on Agriculture.

By Mr. LEAVITT: A bill (H. R. 11359) for the relief of the Arapahoe and Cheyenne Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. SMITH: A bill (H. R. 11360) to authorize the Secretary of the Interior to convey or transfer certain water rights in connection with the Boise reclamation project; to the Committee on Irrigation and Reclamation.

By Mr. DICKINSON of Missouri: A bill (H. R. 11361) to amend the World War veterans' act as amended; to the Committee on World War Veterans' Legislation.

By Mr. AUF DER HEIDE: A bill (H. R. 11362) to authorize and direct the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J.; to the Committee on the Merchant Marine and Fisheries.

By Mr. ENGLAND: A bill (H. R. 11363) authorizing J. B. Thomas, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across New River at or near Prince, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. WINTER: A bill (H. R. 11364) to authorize allotments to unallotted Indians on the Shoshone or Wind River Reservation, Wyo.; to the Committee on Indian Affairs.

Also, a bill (H. R. 11365) to authorize a per capita payment to the Shoshone and Arapahoe Indians of Wyoming from funds held in trust for them by the United States; to the Committee on Indian Affairs.

By Mr. TIMBERLAKE: Joint resolution (H. J. Res. 214) authorizing the restoration of a limitation on the importation free of duty of Philippine sugar; to the Committee on Ways and Means.

By Mr. HAUGEN: Joint resolution (H. J. Res. 215) to authorize the Secretary of Agriculture to accept a gift of certain lands in Clayton County, Iowa, for the purposes of the upper Mississippi River wild life and fish refuge act; to the Committee on Agriculture.

By Mr. McSWAIN: Joint resolution (H. J. Res. 216) to authorize the study of the battle fields of Blackstock and Musgroves Mill; to the Committee on Military Affairs.

By Mr. BLOOM: Concurrent resolution (H. Con. Res. 22) providing that Congress observe as international good will day May 21, 1928, the first anniversary of the epoch-making flight of Col. Charles A. Lindbergh from New York City to Paris, France, and for other purposes; to the Committee on Rules.

By Mr. KINDRED: Resolution (H. Res. 123) that the Speaker appoint a select committee to consist of five Members of the House to conduct an investigation of the official acts of the Federal Trade Commission, especially with reference to the so-called Aluminum Trust, the so-called Bread or Baking Trust, and all other trusts or combinations dealing in household commodities or articles of food, etc.; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRAND of Ohio: A bill (H. R. 11366) granting an increase of pension to Ada M. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11367) granting an increase of pension to Mary A. Ackley; to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 11368) for the relief of Lieut. Commander W. L. Culbertson; to the Committee on Naval Affairs.

By Mr. CHINDBLOM: A bill (H. R. 11369) for the relief of Nicholas Pascaly; to the Committee on Claims.

By Mr. CORNING: A bill (H. R. 11370) for the relief of Samuel Gettinger and Harry Pomerantz; to the Committee on Claims.

By Mr. CRAIN: A bill (H. R. 11371) granting a pension to George W. Dunaway; to the Committee on Pensions.

Also, a bill (H. R. 11372) granting a pension to Robert A. Johnstone; to the Committee on Pensions.

Also, a bill (H. R. 11373) granting a pension to Sarah M. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11374) for the relief of Arden C. Miller; to the Committee on Military Affairs.

Also, a bill (H. R. 11375) granting an increase of pension to Sarah P. Huff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11376) granting an increase of pension to Carrie T. C. Brown; to the Committee on Invalid Pensions.

By Mr. CROSSER: A bill (H. R. 11377) for the relief of Samuel Weinstein; to the Committee on Claims.

By Mr. DRANE: A bill (H. R. 11378) granting an increase of pension to Sarah Ellen Adams; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 11379) granting an increase of pension to Alice A. Jackman; to the Committee on Invalid Pensions.

By Mr. EATON: A bill (H. R. 11380) granting a pension to John Hofmann; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 11381) for the relief of William E. Bliss; to the Committee on Claims.

By Mr. FURLOW: A bill (H. R. 11382) granting an increase of pension to Mary Fallon; to the Committee on Invalid Pensions.

By Mr. HANCOCK: A bill (H. R. 11383) for the relief of Angenora Hines; to the Committee on Military Affairs.

By Mr. HARE: A bill (H. R. 11384) to authorize and direct the Intermediate Credit Bank, of Columbia, S. C., to credit certain notes and mortgages discounted for South Carolina Agricultural Credit Co.; to the Committee on Banking and Currency.

By Mr. HARDY: A bill (H. R. 11385) for the relief of Dr. Andrew J. Baker; to the Committee on War Claims.

By Mr. JOHNSON of Indiana: A bill (H. R. 11386) granting a pension to Sarah J. Adams; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 11387) granting an increase of pension to Hannah E. Odell; to the Committee on Invalid Pensions.

By Mr. MacGREGOR: A bill (H. R. 11388) granting a pension to Joseph Dossinger; to the Committee on Pensions.

By Mr. MOONEY: A bill (H. R. 11389) granting a pension to Harry A. Thompson; to the Committee on Pensions.

By Mrs. NORTON of New Jersey: A bill (H. R. 11390) granting an increase of pension to Amelia Drake; to the Committee on Invalid Pensions.

By Mr. NORTON of Nebraska: A bill (H. R. 11391) granting a pension to Martha E. Tipton; to the Committee on Invalid Pensions.

By Mr. O'BRIEN: A bill (H. R. 11392) granting an increase of pension to Matilda L. Hardman; to the Committee on Pensions.

Also, a bill (H. R. 11393) granting an increase of pension to Mary P. Crawford; to the Committee on Pensions.

By Mr. PEAVEY: A bill (H. R. 11394) granting an increase of pension to Nicholas G. Penfound; to the Committee on Pensions.

By Mr. RAINEY: A bill (H. R. 11395) granting an increase of pension to Georgia G. Biggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11396) granting an increase of pension to Kate Mathews; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 11397) for the relief of Robert T. Jackson; to the Committee on Claims.

By Mr. SANDERS of New York: A bill (H. R. 11398) granting a pension to Anna Myers; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 11399) granting a pension to John W. Strausser; to the Committee on Pensions.

By Mr. STOBBS: A bill (H. R. 11400) granting a pension to Michael Mulcahy; to the Committee on Pensions.

By Mr. WHITE of Colorado: A bill (H. R. 11401) granting a pension to Phoebe W. Hooper; to the Committee on Invalid Pensions.

By Mr. WOLVERTON: Resolution (H. Res. 124), paying \$1,200 to John T. Kelly for services rendered the Sixty-eighth and Sixty-ninth Congresses; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4376. By Mr. BACHMANN: Petition of Edna Reiner and 54 other citizens of Wheeling, W. Va., protesting against the Lankford compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

4377. By Mr. BERGER: Memorial of the Federated Trades Council of Milwaukee and its 125 affiliated unions, appealing for the enactment of Senate bill 3116 and House bill 10359, which will establish the 44-hour work week in certain departments of the Government; to the Committee on the Civil Service.

4378. By Mr. CHINDBLOM: Petition of P. Nelson, of Chicago, Ill., and 533 other citizens, protesting against the passage of House bill 78, the compulsory Sunday observance bill; to the Committee on the District of Columbia.

4379. By Mr. CRAMTON: Petition of Rev. H. Z. Davis and 19 other residents of St. Clair, Mich., protesting against the passage of any compulsory Sunday observance bill; to the Committee on the District of Columbia.

4380. By Mr. CURRY: Petition of State, county, and municipal officials and others of the third California district, against House bill 78; to the Committee on the District of Columbia.

4381. By Mr. DAVEY: Petitions signed by citizens of Portage County, Ohio, protesting against the passage of House bill 78, the Lankford bill; to the Committee on the District of Columbia.

4382. Also, petitions signed by citizens of Elyria and Lorain Counties, Ohio, in behalf of bill providing for pensions for Civil War veterans and Civil War widows; to the Committee on Invalid Pensions.

4383. Also, petitions signed by citizens of Akron and Summit Counties, Ohio, in behalf of bill providing for pensions for Civil War veterans and Civil War widows; to the Committee on Invalid Pensions.

4384. By Mr. DOUGLAS of Arizona: Petitions from various towns in the State of Arizona, protesting against House bill 78, introduced by Congressman Lankford; to the Committee on the District of Columbia.

4385. By Mr. ENGLEBRIGHT: Petition of citizens of Crescent Mills, Blairsden, Spring Garden, Alturas, and Quincy, Calif., protesting against House bill 78; to the Committee on the District of Columbia.

4386. Also, petition of citizens of Angels Camp, Calif., protesting against House bill 78; to the Committee on the District of Columbia.

4387. Also, petition of citizens of Red Bluff, Calif., urging increase of pensions for the widows and veterans of the Civil War; to the Committee on Invalid Pensions.

4388. By Mr. EVANS of California: Petition of Henry G. Dillon and approximately 30 others, against compulsory Sunday observance; to the Committee on the District of Columbia.

4389. Also, petition of citizens of Los Angeles, Calif., protesting against compulsory Sunday observance law; to the Committee on the District of Columbia.

4390. By Mr. FRENCH: Petition of citizens of Viola, Samuels, Lewiston, and Spaulding Counties, Idaho, protesting against compulsory Sunday observance law; to the Committee on the District of Columbia.

4391. By Mr. GALLIVAN: Petition of F. S. Snyder, Batchelder & Snyder Co., 47-63 Blackstone Street, Boston, Mass., protesting against enactment of Senate bill 2506 and House bill 9288; to the Committee on Agriculture.

4392. By Mr. GARBER: Letter of J. W. Coover, of Sharon, Okla., in support of bill for retirement of employees coming under civil service rule, after 30 years of service, providing he is 55 years of age; to the Committee on the Civil Service.

4393. Also, letter of the Queensberry Club, by H. T. Nichols, recording secretary, of Washington, D. C., in support of House bill 7736 to legalize amateur boxing in the District of Columbia; to the Committee on the Judiciary.

4394. Also, letter of J. F. Via, manager of Palace Theater, of Blackwell, Okla., in support of Senate bill 1667 in re motion-picture industry; to the Committee on Interstate and Foreign Commerce.

4395. By Mr. HANCOCK: Petition signed by Sarah Armstrong and other residents of Syracuse, N. Y., advocating increase of pensions for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4396. By Mr. HOWARD of Nebraska: Resolution adopted by Neligh Post, Grand Army of the Republic, and approved by the Woman's Relief Corps and the Daughters of Union Veterans, of Neligh, Nebr., favoring the Morgan pension bill; to the Committee on Invalid Pensions.

4397. By Mr. JOHNSON of Indiana: Petition of voters of Rockville, Ind., for the increase of Civil War pensions; to the Committee on Invalid Pensions.

4398. By Mrs. KAHN: Petition of the employees of the St. Francis Theater, San Francisco, Calif., protesting against the passage of the Brookhart bill (S. 1667) relating to distribution

of motion pictures; to the Committee on Interstate and Foreign Commerce.

4399. By Mr. KEARNS: Petition of sundry citizens of Bethel, Ohio, praying for the adoption of measures to bring about more satisfactory conditions of radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4400. Also, petition from citizens of Georgetown, Ohio, in opposition to the building of a competitive Navy; to the Committee on Appropriations.

4401. Also, petition from citizens of Pike County, Ohio, protesting against the building of additional warships; to the Committee on Appropriations.

4402. By Mr. KINDRED: Resolution of the Good Citizenship League of Flushing, demanding more adequate appropriation and more determined enforcement for the antinarcotic work of city and National Government; to the Committee on Ways and Means.

4403. By Mr. KOPP: Petition of citizens of Fort Madison, Iowa, protesting against the passage of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4404. Also, petition of citizens of Croton, Iowa, protesting against passage of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4405. By Mr. KORELL: Petition of citizens of Portland, Oreg., urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to veterans and their widows; to the Committee on Invalid Pensions.

4406. By Mr. KVALE: Petition of members of the Lac qui Parle Cooperative Oil Co., Dawson, Minn., favoring passage of the McNary-Haugen bill with the equalization fee included; to the Committee on Agriculture.

4407. By Mr. LINTHICUM: Petition of Railway Mail Association of Baltimore, Md., indorsing House bills 25 and 88; to the Committee on the Post Office and Post Roads.

4408. Also, petition of Baltimore Chamber of Commerce and J. Schoeneman, of Baltimore, Md., urging relief for the Mississippi Valley flood situation; to the Committee on Flood Control.

4409. Also, petition of DeCourcy W. Thom, of Baltimore, Md., objecting to House bill 5729, for the purpose of turning Mena National Forest, in western Arkansas, into a national park to be entitled the "Ouachita National Park"; to the Committee on the Public Lands.

4410. Also, petition of Delane Brown (Inc.), Baltimore, Md., indorsing House bill 9296, providing for changes in postal rates; to the Committee on the Post Office and Post Roads.

4411. Also, petition of the Kimball-Tyler Co., of Baltimore, indorsing McSweeney-McNary bills (H. R. 6091 and S. 1183) on forest conservation; to the Committee on Agriculture.

4412. By Mr. McFADDEN: Petition of residents of Susquehanna County, Pa., granting relief to veterans and widows of veterans of the Civil War; to the Committee on Invalid Pensions.

4413. By Mr. MILLER: Petition of citizens of Seattle, Wash., protesting passage of House bill 78; to the Committee on the District of Columbia.

4414. Also, petition of citizens of Seattle, Wash., and community indorsing House bills 492 and 6518; to the Committee on the Civil Service.

4415. By Mr. MORIN: Petition of the Pittsburgh Electrotypers Union, No. 68, Alvin E. Abraham, president, and William J. Walters, secretary, of Pittsburgh, Pa., urging passage of Dale-Lehlbach bill, so as to permit optional retirement after 30 years' service with an annuity of \$1,200 per year; to the Committee on the Civil Service.

4416. By Mr. MORROW: Petition of Federal employees at Fort Stanton, N. Mex., favoring the Welch and Lehlbach bills; to the Committee on the Civil Service.

4417. By Mr. NEWTON: Petition of C. E. Powers, of Minneapolis, and others, against compulsory Sunday observance; to the Committee on the District of Columbia.

4418. By Mr. O'CONNELL: Petition of the Central Box Co., of Brooklyn, N. Y., favoring the passage of the McSweeney-McNary bill (H. R. 6091); to the Committee on Agriculture.

4419. Also, petition of the Illinois Bankers Association, favoring the passage of the McNary-Haugen bill, as approved by the American Farm Bureau Federation; to the Committee on Agriculture.

4420. By Mr. OLDFIELD: Petition of Martha A. Moore and others, of Bald Knob, Ark., favoring increases in Civil War pensions; to the Committee on Invalid Pensions.

4421. By Mr. SANDERS of New York: Petition of Norman P. Reynolds, of Darien Center, N. Y., and signed by Will M. Eastman and 182 other citizens of Attica, N. Y., protesting against the passage of House bill 78, the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

4422. Also, petition of George Rogers and 90 other citizens of Darien Center, N. Y., protesting against the passage of the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

4423. Also, petition of C. E. Curtis and 36 other citizens of Corfu, N. Y., protesting against the passage of House bill 78, the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

4424. By Mr. SELVIG: Petition of Kay-dugi-gwon-ay-aush and 95 Chippewa Indians of the White Earth Indian Reservation in Minnesota, urging the enactment of a \$50 per capita payment; to the Committee on Indian Affairs.

4425. By Mr. SMITH: Petition signed by W. H. Winter and 23 other residents of Boise, Idaho, protesting against the enactment of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4426. Also, petition signed by Mrs. James C. Lee and 39 other residents of Pocatello, Idaho, protesting against the enactment of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4427. By Mr. THOMPSON: Petition of citizens of Bryan, Ohio, urging higher pension rates for Civil War veterans and widows; to the Committee on Invalid Pensions.

4428. Also, petition of Brotherhood of Salem Church, of Venedocia, Ohio, protesting against the passage of House bill 7359, providing for extensive additions to the Navy; to the Committee on Naval Affairs.

4429. By Mr. WATSON: Resolution passed by the Solebury Monthly Meeting of the Religious Society of Friends, in opposition to proposed increase of the Naval Establishment; to the Committee on Naval Affairs.

4430. Also, resolution from Radnor Monthly Meeting of the Religious Society of Friends, in opposition to the proposed increase of the Naval Establishment; to the Committee on Naval Affairs.

4431. By Mr. WYANT: Petition of Emily E. Woodley Tent No. 24, Daughters of Union Veterans, Greensburg, Pa., favoring legislation to preserve the flags of the Civil and other wars; to the Committee on the Library.

4432. Also, petition of G. M. Barrow, of Westinghouse Electric & Manufacturing Co., Derry, Pa., favoring establishment of adequate and efficient merchant marine; to the Committee on the Merchant Marine and Fisheries.

4433. Also, petition of Golden Bar Sisterhood No. 194, Dames of Malta, favoring passage of House bill 10078; to the Committee on Immigration and Naturalization.

4434. Also, petition of Onward Men's Bible Class of the First Presbyterian Church, of Murrysville, Pa., favoring passage of Lankford Sunday rest bill (H. R. 78); to the Committee on the District of Columbia.

4435. Also, petition of Friendship Ladies' Bible Class of First Presbyterian Church, of Murrysville, Pa., favoring passage of Lankford Sunday rest bill (H. R. 78); to the Committee on the District of Columbia.

4436. Also, petition of voters of Westmoreland County, Pa., favoring passage of National Tribune's Civil War pension bill; to the Committee on Invalid Pensions.

4437. Also, petition of Washington Camp, No. 627, Patriotic Order Sons of America, of Salina, Pa., by A. A. Campbell, box 43, Edmon, Pa., favoring passage of House bill 10078; to the Committee on Immigration and Naturalization.

4438. By Mr. ZIHLMAN: Petition of Emma S. Newcomer and numerous citizens of Washington and Frederick Counties, Md., protesting against the enactment of House bill 78, or any compulsory Sunday observance laws; to the Committee on the District of Columbia.